



The New

REPUBLIC

JULY 23, 2007 • \$4.95

Who's Your Daddy?

The Masculine
Mystique
of Fred Thompson
MICHELLE COTTLE

IS OBAMA
THE NEXT JFK?
THEODORE SORENSEN

ISRAELI
REVISIONISM
REVISED
BENNY MORRIS

BIG PHARMA
PROPAGANDA
AND YOU
ARNOLD S. RELMAN

+

DANIEL
PEARL'S
FATHER
CRITIQUES
*A MIGHTY
HEART*

JEFFREY ROSEN
AND THE EDITORS
REVIEW
THE ROBERTS
COURT

BALLOONS ARE SAVING THOUSANDS OF LIVES. AND THEY CAN SAVE EVEN MORE.

Balloon angioplasty is one of the most common ways to treat the number one killer in America – coronary artery disease. But the procedure could be even more effective if best practices are shared among doctors and hospitals.

One Blue Company created a database so cardiologists could access and share the most effective angioplasty techniques. As a result, operations yielded better outcomes and fewer heart attacks. All this while saving millions of dollars in post-operative complications.

Because of this unique collaboration with doctors, the Harvard Medical School Department of Health Care Policy identified this program as a BlueWorks winner, an innovative program that saves lives and reduces healthcare costs.

See how Blue Plans are collaborating with doctors and hospitals around the country at www.bcbs.com/balloon.



**BlueCross BlueShield
Association**
An Association of Independent
Blue Cross and Blue Shield Plans

Better knowledge for healthier lives.

THE NEW REPUBLIC

A Journal of Politics and the Arts

VOLUME 237

WASHINGTON, JULY 23, 2007

NUMBER 4,817

Roberts Rules

IT'S NOT OFTEN that we share Antonin Scalia's highly idiosyncratic take on Supreme Court business. But, on the matter of Chief Justice John Roberts's emerging jurisprudential style, we find ourselves nodding violently in agreement with Scalia's recent judgment. Signing onto a Roberts decision that helps gut the McCain-Feingold campaign finance law, Scalia scolded the chief justice for effectively overturning an earlier ruling without owning up to it. "This faux judicial restraint is judicial obfuscation," Scalia protested.

Nowhere does Scalia's critique of Roberts's style apply more forcefully than with regard to the Court's recent ruling in *Parents Involved v. Seattle*. Roberts's plurality opinion in the high-profile desegregation case elbows aside some 50 years of precedent while affecting a posture of doe-eyed innocence. If the phrase "What, little ole me?" doesn't appear anywhere in the text, that's only because it wasn't necessary. It is implied in practically every word.

The case weighs plans by two public school districts, one in Seattle and the other in Louisville, to ensure a modicum of racial integration within their schools. The way the districts accomplished this was by regulating the proportion of white to nonwhite students each school could enroll. So, for example, if a white student wanted to attend a school where white students were already significantly overrepresented relative to the district population, that student might have to attend another school instead. The arrangement had helped the districts buck recent school resegregation trends even though it only directly affected a tiny fraction of students.

Not surprisingly, the arrangement also relies on a form of racial classification—how else to keep track of the proportion of whites to nonwhites?—which is what Roberts finds unacceptable. Or, if not unacceptable, then at least so "inherently suspect" as to only be justified under exotic circumstances. (And, even then, only if practiced in a highly circumscribed way.) Under Roberts's reading of the Constitution, pretty much the only reason a district should be able to classify students by race is to correct past discrimination by the district itself. Sounds reasonable enough. But here's the rub: Since

Seattle never formally practiced segregation, and since a federal court has proclaimed Louisville desegregated, neither program currently passes constitutional muster, according to Roberts.

Suffice it to say, we're skeptical. At the very least, as Justice Stephen Breyer points out in his angry dissent, the distinction between formal and informal segregation is not nearly so neat as the hyper-literal Roberts suggests. For example, although it's true that no local law ever mandated segregation in Seattle, the district's policies—which allowed whites to transfer out of heavily black schools but restricted blacks from transferring into white schools—historically achieved the same goal. More to the point, the Supreme Court has repeatedly affirmed that, while districts aren't necessarily *required* to adopt integration plans absent a history of *de jure* (i.e., legally mandated) segregation, they're certainly *allowed* to. Apparently sensing that precedent runs against him on this point, Roberts simply ignores it, arguing that the relevant portions of an oft-cited Court opinion appear in an ancillary passage and are therefore moot. It's the equivalent of overturning a landslide election on a technicality.

But to make this a debate about legal minutiae would be to overlook the truly radical implications of the ruling. At heart, Roberts's opinion is an assault on *Brown v. Board of Education*, the landmark 1954 desegregation case, masquerading as an attempt to redeem it. Under its mainstream interpretation, *Brown* required school boards to actively integrate themselves, rather than merely abolish rules that prevented black students from attending white schools. In Roberts's view, however, the problem with the pre-*Brown* regime wasn't racial isolation per se, merely that "schoolchildren were told where they could and could not go to school based on the color of their skin." To appreciate how significant a reinterpretation this is, ask yourself the following: If, post-*Brown*, a school board in Alabama had ended formal segregation while nonetheless preventing black students from attending white schools—say, by barring children from predominantly black neighborhoods from enrolling—would the Court have

been satisfied? Of course not. (In fact, the Court more or less said as much in 1968, after Southern segregationists pursued a variation on this strategy.) But such efforts would have been consistent with Roberts's reading of the decision.

As it happens, it's a reading that's been percolating for decades, though it has never achieved currency outside a

continued on page 4



Cost of loans:

Total loan: \$1,000

APR: 12.99

Minimum payment

Time:

Finance

Total T

4000 1234 56

GOOD
THRU

12/08

B. PARKER

2 months

charge: \$71.24

Payment: \$1,071.24

78 9010

 **VISA**

A little education can prevent a lot of debt.

There's no denying that too many Americans struggle with debt. Young people are particularly vulnerable, especially to predatory lending tactics. And we at Visa feel that we have a responsibility to help bring about a solution. So we are attacking this problem at its root by bringing financial literacy education into America's classrooms. It's through our innovative Practical Money Skills for Life program. Participating students incur up to 42% fewer over-limit charges and keep a revolving balance that's up to 26% lower than students who haven't taken these courses.* At Visa, we believe that well-educated kids make smarter choices. After all, students should graduate with a diploma, not a mountain of debt.

There's more behind the card than you think. Educate yourself at www.behindthecard.com

relatively small group of conservative legal activists and scholars. Today, the view lives on in elite organizations like the Federalist Society, with which Roberts has long been affiliated. Indeed, the much-cited coda to Roberts's opinion—that "the way to stop discrimination on the basis of race is to stop discriminating on the basis of race"—is lifted almost verbatim from a 2005 dissent by circuit court judge Carlos Bea, also a Federalist Society booster, which itself recalls a slogan favored a decade ago by former solicitor general Theodore Olson, another Federalista.

It is precisely the mainstream consensus on *Brown's* meaning that drives Roberts and like-minded conservatives to be so coy in their discussion of the opinion. When asked during his 2005 confirmation hearing whether he accepted "both the holding and the reasoning in the *Brown* case," Roberts responded with a less-than-transparent musing about the "genius of the decision"—a decision he has just hollowed out. Justice Scalia is right: There's a yawning gap between modesty and obfuscation. The more you see of John Roberts, the more you appreciate the difference.

CHIP Shot

SAY THIS MUCH for our president: He is consistent. Back in the 1990s, when he was still governor of Texas, he had an opportunity to help some of his neediest constituents get affordable medical care. The federal government had just created the State Children's Health Insurance Program, or S-CHIP, making billions in new spending available to states that created public insurance programs for poor kids and their families. While even some of his fellow Republican governors were jumping at the opportunity, Bush balked. The program might get expensive in the long run, he feared. And, oh dear, it would mean more government. So Bush fought efforts to create an expansive S-CHIP program in Texas, arguing a minimalist version would be better, even though the state had one of the highest proportions of uninsured residents in the country.

The Texas legislature, though hardly a bastion of socialism, didn't see things Bush's way—and bullied him into supporting a bigger program. But now, as president, Bush is waging the same fight all over again. S-CHIP is up for reauthorization this year. With even more Americans uninsured than in the '90s, Congress seems inclined to expand it so that it can cover more people. Under a new bipartisan proposal in the Senate, S-CHIP funding would increase by \$35 billion over the next five years, allowing it to reach many of the children who still lack insurance.

But Bush, backed by some of his more conservative allies, wants no part of this. He's willing to reauthorize the program, but he also wants to restrict it—by, among other things, limiting eligibility to only those people who are below 200 percent of the poverty level. Under his counterproposal, at least 17 states

would actually *lose* S-CHIP funding, meaning that more kids and families in desperate need of medical insurance would go without.

Why the resistance? Money, for one thing. To pay for the expansions, Democrats have proposed raising taxes on cigarettes and rescinding some of the unnecessary subsidies Bush's Medicare drug plan famously throws at insurance companies—steps that are no more popular with this administration than with its supporters in the tobacco and insurance lobbies. But the fight is also philosophical. Bush and his allies object that, for every ten people who gain insurance through S-CHIP expansions, between two and five fewer will get private insurance—since employers, particularly those with low-income workers, will be less likely to offer coverage once the public alternative is available.

But this hardly matters as long as the net effect is an expansion of insurance—which clearly is the case here, as the Congressional Budget Office recently concluded. Thanks to S-CHIP, the number of people without health insurance today is much lower than it might be otherwise; if the program expands, it will be even lower in the future. To put it in human terms, that means millions of more kids getting their regular checkups and—when they need it—more serious medical care.

Of course, what really spooks Bush and the right is the possibility that S-CHIP could be a stepping stone to universal coverage. It's a legitimate fear. If Americans notice what a good job government has done insuring kids, they might clamor to have it cover more adults, too—which, come to think of it, sounds like a pretty good idea as well. ♦

THE NEW REPUBLIC

Founded 1914

EDITOR-IN-CHIEF *Martin Peretz*
 EDITOR *Franklin Foer*
 LITERARY EDITOR *Leon Wieseltier*
 EXECUTIVE EDITOR *J. Peter Scoblic*
 MANAGING EDITOR *Katherine Marsh*
 DEPUTY EDITOR *Richard Just*
 MANAGING EDITOR/ONLINE *Adam B. Kushner*
 EDITOR-AT-LARGE *Peter Beinart*
 SENIOR EDITORS
Jonathan Chait, Jonathan Cohn, Michelle Cottle, Michael Crowley, Ruth Franklin, John B. Judis, Lawrence F. Kaplan, Ryan Lizza, Christopher Orr, Noam Scheiber, Lee Siegel, James Wood, Jason Zengerle
 LEGAL AFFAIRS *Jeffrey Rosen*
 ASSISTANT MANAGING EDITOR *Britt Peterson*
 ASSISTANT MANAGING EDITOR/ONLINE *Alexander M. Belenky*
 SPECIAL PROJECTS/ONLINE *Sacha Zimmerman*
 CULTURE EDITOR/ONLINE *Christiane Culhane*

— // —

FILMS *Stanley Kauffmann*
 THEATER *Robert Brustein*
 ART *Jed Perl*
 ARCHITECTURE *Sarah Williams Goldhagen*
 MUSIC *David Hajdu*
 DANCE *Jennifer Homans*
 POETRY EDITOR *Glyn Maxwell*
 SPECIAL CORRESPONDENTS
Annie Ciezadlo, Thomas B. Edsall, Joshua Kurlantziuk
 CONTRIBUTING EDITORS
David A. Bell, Paul Berman, Gregg Easterbrook, Jean Bethke Elstain, Nathan Glazer, Anthony Grafton, David Grann, David Greenberg, Yossi Klein Halevi, Robert Kagan, Michael Kinsley, Charles Krauthammer, Jeremy McCarter, John McWhorter, Sherwin B. Nuland, Michael B. Oren, David Rieff, Maggie Scarf, Ronald Steel, Andrew Sullivan, Cass R. Sunstein, Alan Taylor, E.V. Thaw, Helen Vendler, Michael Wolfe, Sean Wilentz, Alan Wolfe, Robert Wright
 CONTRIBUTING ARTISTS
Jack Coughlin, David Cowles, Vint Lawrence, David Schorr
 ART/DESIGN DIRECTION *Heroun+Co./Christine Car*
 CONTRIBUTING PHOTO RESEARCH *Jane Yeomans*
 EDITORIAL-CORPORATE COORDINATOR *Linda Gerth*
 PRODUCTION AND I.T. DIRECTOR *Bruce Steinke*
 PRODUCTION MANAGER *Henry Riggs*
 PRODUCER/ONLINE *Tim Dugan*
 ASSISTANT EDITORS
Kara Baskin, Eve Fairbanks, Keelin McDonnell
 ASSISTANT LITERARY EDITOR *Chloë Schama*
 ASSISTANT POETRY EDITOR *Melanie Rehak*
 REPORTER-RESEARCHERS
Isaac Chotiner, Bradford Plumer, Elspeth Reeve
 ASSISTANT TO THE EDITOR-IN-CHIEF *James Kirchick*
 INTERN/BOOKS AND THE ARTS *Sophia Lear*
 INTERNS/ONLINE *Samuel P. Jacobs, Anton Troianovski*

— // —

PUBLISHER *Elizabeth W. Sheldon*
 GENERAL MANAGER *Allen Chin*
 CIRCULATION DIRECTOR *Lori Fleishman Dorr*
 ASSOCIATE DIRECTOR/ONLINE *Emilie Harkin*
 ADVERTISING SALES & MARKETING
 DIRECTOR OF ADVERTISING, WEST *Joan Stapleton Tooley*
 CUSTOM PUBLISHING & CONFERENCE CONSULTANT
Richard Parker
 ACCOUNT DIRECTORS
Daly Associates LLC, Julie Sturmak Kettell
 PUBLISHING REPRESENTATIVE
Perry Janoski, Allston-Cherry, Ltd.
 MARKETING MANAGER *Alexandra Scott*
 FINANCE & ADMINISTRATION
 ACCOUNTING MANAGER *Jessie Ahn*
 BUSINESS ASSISTANT *Jillian Wheat*

A CanWest Publication

THE NEW REPUBLIC (ISSN 0028-6583), Vol. 237, Number 2, Issue 4,817, July 23, 2007. (Printed in the United States on July 13, 2007.) Published bi-weekly (except for skipped publication dates of April 6, July 6, August 3, November 23, and December 7, 2007) at 1331 H Street, NW, Suite 700, Washington, D.C. 20005. Telephone (202) 508-4444. For advertising inquiries, please contact Jillian Wheat at (202) 508-4444. Yearly subscriptions, \$79.97; foreign, \$119.97 (U.S. funds); Canada, \$99.97 (U.S. funds). Back issues, \$8.00 domestic and \$10.00 foreign/Canada (includes postage & handling). © 2007 by The New Republic, LLC. Periodicals postage paid at Washington, D.C., and additional mailing offices. Rights and permissions: fax (202) 628-9383. Indexed in Readers' Guide, Media Review Digest. For hard copy reprints, call (202) 508-4444. Microform, Canadian Periodical Index, and CD-ROM are available through ProQuest, 300 N. Zeeb Road, Ann Arbor, MI 48106. Telephone (800) 521-0600. Postmaster: Send changes of address to The New Republic, P.O. Box 420235, Palm Coast, FL 32142-0235. Member, Audit Bureau of Circulations. Send letters and unsolicited manuscripts to letters@tnr.com. For subscription inquiries or problems call (800) 827-1289 or visit our website at www.thenewrepublic.com.



Contents

July 23, 2007

The Editors	1	ROBERTS RULES <i>The chief justice shows the yawning gap between modesty and obfuscation.</i>
		TRB
Jonathan Chait	7	SUPERIORITY COMPLEX <i>What if they held a war of ideas and nobody came?</i>
		THE MALL
Jeffrey Rosen	9	<i>Will John Roberts ever get better?</i>
Keelin McDonell	12	<i>The return of the Rodham brothers.</i>
Theodore Sorensen	16	<i>Is Barack Obama the next JFK?</i>
Aleksandar Hemon	17	<i>Why David Beckham sucks.</i>
Judea Pearl	18	<i>Daniel Pearl's father on A MIGHTY HEART.</i>
David Goodhart	19	<i>Gordon Brown promises a different look.</i>
		FEATURES
Michelle Cottle	23	WHO'S YOUR DADDY? <i>Fred Thompson has become a front-runner for the Republican nomination, thanks largely to his unusual brand of masculinity. But is he really man enough for the job?</i>
Michael Crowley	28	FINAL RESOLUTION <i>How the Armenian genocide of 1915 became the great K Street windfall of our time.</i>
Peter Bergen	32	RED DAWN <i>The recent siege of an Islamabad mosque is the least of Pervez Musharraf's problems.</i>
		BOOKS AND THE ARTS
Stanley Kauffmann	35	FILMS DIFFERING SOCIETIES <i>The re-issue of LE DOULOS is cause for celebration; GOLDEN DOOR and IN BETWEEN DAYS offer new takes on immigrants in America.</i>
Arnold S. Relman	36	BOOKS TO LOSE TRUST, EVERY DAY OVERDOSE: HOW EXCESSIVE GOVERNMENT REGULATION STIFLES PHARMACEUTICAL INNOVATION by Richard A. Epstein
Andrew Delbanco	43	BOOKS MONEY AND THE NOVEL EDITH WHARTON by Hermione Lee
Benny Morris	47	BOOKS PROVOCATIONS 1967: ISRAEL, THE WAR, AND THE YEAR THAT TRANSFORMED THE MIDDLE EAST by Tom Segev; FOXBATS OVER DIMONA: THE SOVIETS' NUCLEAR GAMBLE IN THE SIX-DAY WAR by Isabella Ginor and Gideon Remez
Nathan Glazer	52	BOOKS THE MOSAIC PERSUASION ROBERT MOSES AND THE MODERN CITY: THE TRANSFORMATION OF NEW YORK edited by Hilary Ballon and Kenneth T. Jackson
Geri Doran	55	POEM PIGEON
		BAGHDAD DIARIST
Scott Thomas	56	SHOCK TROOPS

COVER ILLUSTRATION BY ROBERTO PARADA

Energy.

Hydrocarbons,

low carbons,

or both?

Natural gas One way to lower carbon emissions is to expand the energy menu, with cleaner burning natural gas. In 2006, we invested \$1.5 billion to increase natural gas supplies in the U.S., bringing cleaner energy to homes and businesses across the country.

Alternatives We're investing up to \$8 billion over ten years in solar, wind, natural gas and hydrogen to provide low carbon electricity. By 2015, we estimate that our business will eliminate CO₂ emissions by 24 million metric tons a year. It's a start.



beyond petroleum®

Superiority Complex

What if they held a war of ideas and nobody came?

JONATHAN CHAIT

IT WAS ONLY two years ago that conservatives, still basking in their triumph over the freshly slain corpse of John Kerry, were insisting near and far that they had triumphed in the War of Ideas. “[T]he plain fact,” wrote conservative foundation honcho and current Giuliani adviser James Piereson in 2005, “is that modern conservatives have been engaged with the world of ideas to a far greater extent than most modern liberals.”

This has become a standard conservative rhetorical trope over the last 25 years. Just as ancient civilizations believed that their success on the battlefield proved that their gods had vanquished those of the enemy, conservatives have attributed their political rise to the power of their philosophical deities. With every Democratic electoral defeat, liberals have been made to endure the added ignominy of listening to every conservative op-ed scribbler and think-tank denizen lecture us on our intellectual deficiencies.

These days, of course, the Republican Party has been routed and conservatives are beset by panic and gloom. You’d think this would, at minimum, give us a small respite from boasts about the right’s victory in the War of Ideas. But no. They’re *still* at it. The new line, put forward by the likes of *Boston Globe* columnist Jeff Jacoby and Hoover Institution fellow Peter Berkowitz, is that conservatives are more intellectually serious because they’re having deep debates over first principles, while liberals enforce stultifying conformity. As Jacoby puts it, “[T]he right churns with serious disputes over policy and principle, while the left marches mostly in lockstep.” Berkowitz bemoans “the absence on the left of debate or dissent,” which he attributes in part to liberals being “blinded by rage at the Bush administration.”

Presumably Iraq, where the right’s ideology has collapsed most disastrously, should be a delicate point for conservative intellectual triumphalists. Instead, it’s their favorite example. “Democrats today,” complains Berkowitz, “are nearly united in the belief that the invasion has been a fiasco and that we must withdraw promptly.” Meanwhile, conservatives are fiercely divided. Ergo, the right is “wrestl[ing] with the consequences of change more fully than progressives.”

TRB *From Washington*

As an attempt to make propaganda lemonade out of the lemon of the Iraq war, this is probably about as good as conservatives could hope to do. Since we’re likely to be hearing this line repeated for a while—probably until the next GOP electoral triumph, when conservatives can go back to straightforward gloating—it’s worth considering a few wee logical flaws.

First, it’s not true that liberals all agree that “we must withdraw promptly” from Iraq. Some liberals certainly favor this, but others favor partial withdrawal, partitioning Iraq, enforceable benchmarks to pressure Iraq’s government, or a myriad of other plans. The notion that all liberals agree about Iraq would come as a surprise to both Carl Levin and the many antiwar protesters seeking to drive him from public office.

Second, if memory serves, liberals had a lot of arguments about the Iraq war in 2002 and 2003. Some of them involved me, in fact. I don’t recall any conservatives at the time citing these debates as evidence of liberalism’s intellectual seriousness. Instead, the right-wing press offered up headlines like “DEMOCRATS’ WAR IN RANKS IMPERILS CHANCES IN ’04” (*Washington Times*) or “DEMOCRATS IN A TIME OF WAR: WE’RE LOOKING AT ANOTHER LIBERAL CRACK-UP” (*National Review*).

Meanwhile, pretty much the only conservatives who openly opposed the war were libertarians or Buchananites, who already had the loosest ties with the movement. A handful of conservatives in good standing, such as William F. Buckley and Jeane Kirkpatrick, have recently confessed to harboring doubts about the war all along. But, of course, the fact that they felt obliged to keep their initial misgivings *sotto voce* hardly speaks well of conservatism’s intellectual openness.

Third, it’s certainly true that conservatives today are more divided than liberals about whether the Iraq war has been a fiasco. I simply disagree about what this fact tells us. Conservatives see their split on this proposition as evidence of intellectual acuity. I see it as evidence that roughly half of all conservatives are barking mad. On last year’s *National Review* cruise, as Johann Hari reported in these pages, Norman Podhoretz called the war “an amazing success” and insisted that “it couldn’t have gone better.” To believe this, you have to believe it was worth 3,500 American military deaths, many times that number wounded, tens or hundreds of thousands of Iraqi deaths, and hundreds of billions of dollars to convert a brutal secular Sunni thugocracy into what may be, in a best-case scenario, a somewhat less brutal, but far more theocratic, Shia thugocracy. Maybe it’s the blind Bush hatred talking, but I’m not terribly embarrassed that liberals are united in rejecting this notion.

What explains the right’s insufferable need to declare philosophical victory at all times? In part, it reflects the natural insecurity that comes with being conservative in a scholarly milieu. If I were an academic or a writer who made his living defending a party that routinely wins elections by appealing to rabid anti-intellectualism, I’d be a little defensive, too.

But it also reflects the fact that conservatism is more of an ideological movement than liberalism. Conservatives insist that, unlike liberals, they’re “acutely conscious of their intellectual forebears,” as David Brooks once put it. Such boasts are usually decorated with references to Kirk, Hayek, and other philosophical patron saints of the right.

Like communists, conservatives have a tendency to believe that every question can be answered by referencing theory. Berkowitz, for instance, describes the conservative debate over the war as one of pure philosophical abstractions: Defenders of the invasion, he writes, believe in “planting the seeds of liberty and democracy in the Muslim Middle East.” Whether or not the war actually has accomplished these ends is not an issue of much interest.

I admit that liberals don’t generally look to our intellectual forebears to tell us whether the Iraq war is going well. But, then, we don’t have to. We can read the newspaper. ♦



Cable

Competition works

CABLE COMPETES.

Investing \$100 billion to build a vast
fiber-optic network. Employing hundreds
of thousands of Americans.

Advancing cutting-edge technologies
that amaze the world.

YOU WIN.

With blazing fast Internet, digital phone and
interactive hi-def TV. Cable works.





The Mall

Court Approval

Will John Roberts ever get better?

AT THE END of a bitterly divided Supreme Court term, liberals are by turns fighting mad and full of despair. Although Chief Justice John Roberts began the term by calling for greater consensus, a third of cases were decided by five–four votes, the highest percentage in more than ten years. The polarization inspired the four liberal justices to write some of their most passionate, incisive, and memorable dissents. But how pessimistic should liberals really be about the future of the Court? Just after the term ended, I had an opportunity to interview Justice Stephen Breyer about the Court's role in American democracy

at the Aspen Ideas Festival.

Breyer made no bones about his disappointment with the divisions on the Court. He began by discussing his 77-page dissenting opinion in the Seattle case forbidding public schools to use race in student assignments. The dissent is a tour de force. It combines a passionate defense of judicial restraint with blistering criticism of the majority for distorting precedents. "Of course, I got slightly exercised, and the way I show this is that I wrote seventy-seven-page opinions," he joked. "I think the color-blind view is *very* wrong, I think it's *never* been in the law, it's never been accepted by a majority of this Court, and, my goodness, if ever there was a decision that should be made locally, it's this one."

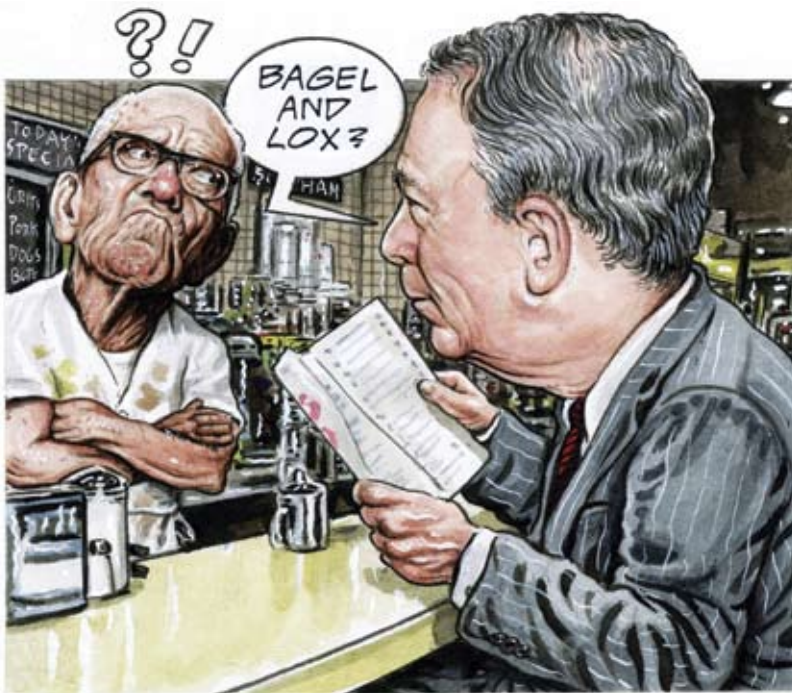
In several of the term's important cases, Roberts and Justice Samuel Alito declined to join Justices Antonin Scalia and Clarence Thomas in calling for the open overruling of previous precedents. Scalia even accused Roberts of "judicial obfuscation" and "faux judicial restraint" for his refusal to overturn the entire structure of campaign finance law rather than dismantling it incrementally. But Breyer, too, seemed unimpressed by conservative incrementalism: He suggested that it was better to overturn precedents cleanly than to pretend to preserve them while distorting them beyond recognition. "There were ten cases listed as important cases in the newspapers. I was in the majority twice—that was better than nothing," he said. "In three of the other cases, the majority of the Court said it was overruling prior precedents, and, in four other cases, the minority of the Court said you are overruling prior precedents. I thought there was quite a lot of precedent overruled, but the people on the other side, who are very good judges, thought they weren't overruling. I do think it's better to be open."

Breyer noted that the number of unanimous opinions has fallen from 32 percent in 2004, Justice Sandra Day O'Connor's last year on the Court, to 22 percent this year, and the five–four decisions rose from about 25 to 33 percent. Moreover, he noted, the number of five–four decisions where what he called "the usual suspects—me and John Stevens and Ruth Ginsburg and David Souter" were joined in a bloc has risen from 55 to 80 percent. He admitted that he had looked up another statistic: "In the 2004 term, I was in the majority eighty percent of the time, and I looked at this term: It's dropped to about thirty-five percent, so I was in dissent quite a lot."

I asked Breyer why Roberts had failed in his efforts to achieve consensus and whether he might ever come closer to achieving these goals. "Will he do better in the future? He can join my dissents!" Breyer replied with a chuckle. But then

WHITE HOUSE WATCH

With DREW FRIEDMAN



Michael Bloomberg grips and grins across the American South.

Breyer said he was always hopeful that new justices will change. "This is a job that people who are appointed have for a long time. ... It takes a while before you have enough experience with the cases in front of you, before you have a view of what this document is, and a view of the institution." That's why, he said, "[I]t's very hard to predict how a person will decide things five or ten years in the future."

BREYER'S CAUTIOUS HOPE that the Court might become less polarized in the future, combined with disappointment at the polarization of the present, seems like the right attitude. It is a far more productive model for liberals than self-pity or shock about the unsurprising fact that, now that Alito has replaced O'Connor, the Court has moved right. For example, Emily Bazelon of *Slate* has demanded that liberals and moderates who supported Roberts as a potential unifier (including me) recant. This is premature. Bush won the 2004 election, and the opportunity to replace O'Connor with Alito ensured that he would change the direction of the Court. Those of us who supported Roberts never denied his conservatism. The question was: Who among the candidates President Bush was plausibly inclined to appoint as chief justice would be most likely to avoid the radicalism of Scalia and Thomas and try to unify the Court? In his first term, which began in October 2005, Roberts entirely vindicated these hopes. He embraced bipartisan consensus as his highest goal and

presided over more unanimous opinions in a row than at any point in the Court's modern history.

This term, by contrast, Roberts notably failed in his efforts to achieve consensus, although he continued to distinguish himself from Scalia and Thomas with his commitment to incrementalism. The Court's shift to the right was driven by the fact that it took up controversial issues, such as race, abortion, and campaign finance, which it had avoided while waiting for O'Connor's replacement. On all these issues, Alito and Anthony Kennedy are more conservative than O'Connor. And, most important of all, Kennedy, who is less pragmatic than O'Connor, refused to embrace Roberts's invitation to converge around narrow,

unanimous opinions. Asked by Stuart Taylor Jr. and Evan Thomas of *Newsweek* what he thought of Roberts's effort after the term ended, Kennedy laughed. "I guess I haven't helped much," he said. "My initial reaction was going to be, 'Just let me write all the opinions.'" Roberts acknowledged from the beginning that he couldn't succeed without his colleagues' support, and he understood that, in the face of resistance to his vision from the median justice, even the most strenuous efforts to achieve consensus would be doomed.

It's too soon, as Breyer suggests, to tell whether Roberts will ultimately be more successful in achieving consensus. But, since he has embraced this as the standard by which his tenure should be judged, Roberts presumably understands that he can't preside over a decade of five-four decisions. Far from going down in history as a unifier in the tradition of John Marshall, he would be perceived as the leader of a partisan conservative Court, one that may be increasingly at odds with a more liberal president and Congress.

FOR THE foreseeable future, however, the political composition of the Court won't likely change. And that has put some liberals in a despairing mood. On THE NEW REPUBLIC's website, Cass R. Sunstein has lamented "the absence of anything like a heroic vision on the Court's left" to counteract "the existence of such a vision on the Court's right," embodied by Scalia and Thomas. Here I respectfully disagree. There is, in fact, a heroic vision on the Court's left, and it is squarely in the tradition of previous liberal visionaries like Oliver Wendell Holmes and Louis Brandeis. This vision, championed by TNR since its founding



Tenet Redux



YOUR ARTICLE "Advance Man" (July 2) is a speculative non-story full of baseless allegations. The author, Patrick Tyler, suggests that "the Bushes" might have pressured me into delaying publication of my memoir. This "guess" is sourced to former Saudi Ambassador Bandar, who admits to having no firsthand knowledge of such a thing. Tyler ran with this wild theory despite the fact that both Bush 41 and I told him, on the record, that it is false.

The only conversation I had with Bush 43 about my memoir was just before I left office in 2004. The president asked what I was going to do after I left government. I told him I was considering writing a book. He said, "Good, you should."

Beyond that, I never discussed my intention to write a book with any member of the Bush family or their staff.

Producing *At the Center of the Storm* was a complex process involving many months of hard work, scores of interviews, the review of thousands of pages of classified documents, and a complicated clearance process by the CIA's Publications Review Board. The book was not delayed at the request of any outside party. It was published when it was done.

GEORGE J. TENET

Encounter Islam, The World's Fastest Growing Religion

with this 12-segment program available for the first time ever on four audio CDs

Encountering Islam by Ambassador Akbar Ahmed

The events of September 11 brought the Muslim world into direct confrontation with the West. 19 hijackers not only killed thousands of innocent people, but also created one of the greatest paradoxes of the 21st century: Islam, which sees itself as a religion of peace, is now associated with murder and mayhem.

Islam is the world's fastest growing religion. About 1.4 billion Muslims live in 57 countries, including 25 million living in the West. Some of America's strongest allies and greatest enemies are Muslim. In this environment, understanding the World of Islam is not a luxury but an imperative.

What You'll Explore

In these audio lectures, renowned Islamic scholar Akbar Ahmed introduces you to the Islamic world, an exploration few Westerners have experienced. Islam, argues Professor Ahmed, does not mean the subordination of women, contempt for other religions, opposition to modernity, or violence against non-believers. One can learn to appreciate the beauty, depth, and variety of Islamic tradition by turning to its sources and rich history.

Through this unique lecture series, you'll explore the life of the Prophet of Islam, and the Quran's five pillars, which govern the beliefs and behavior of Muslims everywhere. Learn how the extraordinary legacies of the great Ottoman, Safavid and Mughal empires influence the present day Arab world, Iran, and South Asia, and explore Islam in other parts of the world. The current Muslim struggle to preserve traditions in an age of globalization and ethnic and religious strife are examined in detail. Professor Ahmed explores all these issues with insight and sympathy, penetrating beyond stereotypes to the realities of Islamic life.

Professor Ahmed offers a message of hope and reconciliation between the West and Islam by leveraging the power of dialogue to build bridges across ethnic, religious, and cultural divides. With dialogue comes knowledge and understanding. This lecture series is essential for anyone hoping to learn more about the Islamic world and its people and to understand the world in which we live.



About Your Presenter

Ambassador Akbar Ahmed, Ph.D., Ibn Khaldun Chair of Islamic Studies at American University in Washington DC, is "the world's leading authority on contemporary Islam," according to the BBC. He served as High Commissioner of Pakistan to Great Britain, and his numerous books, films and documentaries have won many awards.

Dr. Ahmed is regularly interviewed on CNN, CBC and the BBC and has appeared several times on the Oprah Winfrey show and Night Line. His most recent book, *Journey into Islam: The Crisis of Globalization*, is the result of extensive travels and interviews conducted by Dr. Ahmed and a young American team throughout the Muslim world.

In 2004, he was given the Professor of the Year Award for Washington DC by the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education.

"[Akbar Ahmed is] one of the great religious sages of our times."
Sir Jonathan Sacks, Chief Rabbi of the UK

"One of the most distinguished Muslim scholars today..."
Lord George Carey, former Archbishop of Canterbury

"His voice needs to be heard, and his courage strengthened."
Elinor Wiesel, Nobel Peace Laureate

"Encountering Islam—what a fantastic job...Dr. Akbar Ahmed (is) the living legend!"
Arif M. Akbar, Ph.D., Chairman, Pakistani American Congress, Washington, DC

About Now You Know Media, Inc.

Now You Know Media searches the world for trusted expert presenters to bring you audio programs on the subjects you care most about. Subjects range from religion to personal finance, health and wine. Presenters are carefully selected for their expertise, charisma, clarity, and ability to teach. We invite you to visit our website, www.NowYouKnowMedia.com, and learn wherever you can listen, in your car, at the gym or at home. All programs are backed by our 100% Money Back Guarantee.

12 Segments on 4 CDs

Introduction: Encountering Islam...The Quran and the Prophet of Islam...The Five Pillars of Islam...Shia/Sunni Differences and the Sufis of Islam...Women in Islam...Tribes in Islam...The Legacy of Arab Dynasties...Andalusia: The Time of Harmony...The Three Great Muslim Empires...The Muslim World under Western Colonization...Modernity and Muslim Leadership...Conclusion: The Way Forward

SAVE \$100

Now You Know Media 7203 Delfield Street Chevy Chase, MD 20815



Encountering Islam: An Introduction

Order by phone, online or by using this coupon
www.NowYouKnowMedia.com 1-800-955-3904

Audio CD Sale \$39.95 (list price \$139.95) + \$16 S&H
Coupon Code: A1111

Pay with: ☐ VISA ☐ M/C ☐ AMEX ☐ DISC ☐ MC

Account number

Exp. Date

Signature

Name (please print)

Mailing address

City/State/Zip Phone

E-mail

for order confirmation
*Maryland residents add 5% sales tax

100% Money Back Guarantee

in the Progressive era, is rooted in strenuous bipartisan judicial restraint. It is today defended most eloquently and systematically by Breyer and Ginsburg, who have voted to strike down fewer state and federal laws combined than any of their colleagues.

In our conversation, Breyer self-consciously embraced the mantle of restraint. "To a very large measure, judges have to be careful about intruding in the legislative process," he said. "[R]uth and I have been among the ones less likely to strike down laws passed by the legislature, and, by that measure, we're not very activist." Far from being a cautious or defensive posture, bipartisan restraint has always been rooted in liberal self-confidence—confidence that, given a fair opportunity, liberals can fight and win in the political arena. The fact that conservatives now rely on the Court to win their battles for them—striking down democratically adopted campaign finance laws and integration programs—is a sign of their weakness.

Breyer and his liberal colleagues were not unwavering in their restraint this term: They dissented from the partial-birth abortion decision, despite the fact that bans on the procedure are supported by bipartisan majorities in Congress and in most states. When I asked Breyer how he reconciled this dissent with his commitment to judicial deference, he demurred. "The only question

for me was, am I suddenly going to overrule a whole lot of precedent? No. That's a strong basis." Liberals, in fact, could have reconciled their commitment to precedent and judicial restraint by upholding the partial-birth law while insisting it include a health exception. But no one is consistent in every case; and the activism of liberals here was an exception, not the rule.

Judged by their willingness to defer to legislatures, liberals are now the party of judicial restraint. Conservatives have responded to this embarrassing turnabout by trying to rob the term of any neutral meaning. In a series of unintentionally hilarious editorials, *The Wall Street Journal* praised the Roberts Court for "restoring business confidence in the rule of law and setting limits on the tort bar and activist judges." Spare us the twistifications. For more than 50 years, conservatives have insisted that judges should defer to legislatures and let citizens resolve their disputes politically. But, at the very moment they consolidated their Supreme Court majority, they have abandoned this principle and embraced the activism they once deplored. I hope that Chief Justice Roberts, over time, will achieve his welcome goal of transcending the Court's divisions and helping conservatives rediscover the virtues of modesty and deference. But, for now, the party of judicial restraint has a convincing spokesman in Justice Breyer.

JEFFREY ROSEN

Oh Brother

The return of the Rodhams.

EDGAR ALLEN GREGORY and his wife, Vonna Jo, were distressed. It was December 1999, and the couple, owners of the Tennessee-based carnival company United Shows of America, had applied for a presidential pardon nearly a year and a half earlier in the hopes that President Clinton would wipe out their 1982 bank fraud convictions. But the Gregorys couldn't get the president's attention. So they went to someone who could—First Lady Hillary Clinton's kid brother, Tony Rodham. They had been on friendly terms since meeting at a Democratic fund-raiser in 1995; Tony even helped secure a contract for the Gregorys to set up a carnival (planned by Hillary) on the White House lawn in 1998, an elaborate event that included a Ferris wheel and an arcade game complete with mock machine guns and crossbows. Now the couple needed a far more serious favor, and, when they ran into

Tony at a party, they weren't shy. "You know, I was sure hoping we'd get a pardon," Edgar Allen Gregory later recalled telling Tony. "If there is any way you can help us, I'd appreciate it."

Just three months later, Clinton pardoned the corrupt carneys—overriding the recommendation of the Justice Department, a move rarely seen in the White House. When reporters questioned Tony about this unusual act of presidential clemency, he admitted that he may have put in a word for the Gregorys. But any accusations of impropriety, he insisted, were "absurd."

The carnival flap might have been lost to history were it not for the fact that, even after their pardon, the Gregorys' fortunes failed to improve. In 2002, United Shows of America went bankrupt, and last year, the liquidator of the Gregorys' estate sued Tony for repayment of \$107,000 in loans—granted, coincidentally or not,

around the time of the pardons. Tony claims the Gregorys paid him for his consulting services. The case is set to go to trial in Nashville on August 16.

With George W. Bush's controversial pardon of Scooter Libby kicking up memories of the Clinton administration's own dubious pardons, Tony's Carneygate trial could hardly come at a worse time for Hillary Clinton. Not that she's unused to her brothers being a liability: Throughout the Clinton presidency, the bizarre antics of second-born Hugh and baby brother Tony often left Hillary chagrined and apologetic. From wacky business schemes to ill-fated Senate runs, the Brothers Rodham—as they were known among White House staffers—engaged in one embarrassing shenanigan after another, often brazenly cashing in on their connection to the Clintons. As one former White House official recalled in 2001, "You never wanted to hear their name come up in any context other than playing golf."

But perhaps the most curious aspect of the Brothers Rodham is not their penchant for bad behavior but Hillary's track record of turning a blind eye to it. Much as Bill endlessly indulged his ne'er-do-well brother, Roger, Hillary has consistently defended her intractable younger siblings, forgiving their misdeeds and allowing them endless second chances. Her protective instinct has hardly reformed the Brothers Rodham; if anything, it has given them more chances to act out and raises questions about how Hillary will handle the inevitable blunders that the brothers will make over the course of her presidential campaign.

AS THE OLDEST of the three Rodham siblings, Hillary has always kept an eye out for her little brothers. According to Carl Bernstein's recent Hillary biography, *A Woman in Charge*, as children Hugh and Tony were frequently "the beneficiaries of their sister's protection" and depended on her "when they got into scrapes that required some artful intervention." (Hillary, though, was hardly naïve about her siblings' mischievousness. When she was seventeen, Bernstein writes, she read *The Catcher in the Rye*, but did not like it because Holden Caulfield reminded her of Hugh.) Still, the bond between the Rodham children continued into adulthood. When Hillary decamped for Arkansas with Bill Clinton, the brothers followed, going to school and accompanying Bill as he



TOMASZ WALENTA

Enrich Your Music Listening Skills and Learn the Language of Music

Become fluent in music theory in 16 lectures
from an award-winning composer and professor

We all know that beneath the bewitching surface of music, beyond the joy or excitement or even heartache this beautiful language of sound can stir within us, lies the often mysterious realm of music theory—a complex structure of sonic and creative resources composers draw on.

No matter what music you listen to—symphony or string quartet, saxophone solo or vocal ballad, hip hop or Gregorian chant—we've felt those effects all our lives, even if we didn't know how they were achieved, or how the musical "language" those composers were using worked.

But what if you could know how those effects were achieved? What if you could learn to understand the often-intimidating language of key signatures, pitch, mode, melody, meter, and other parts of musical structure used by composers? And be able to recognize these various components at work as you listened to our favorite music? What if you could speak the language of Western music?

It's a language that Professor Robert Greenberg calls rich, varied, and magnificent, and he has little doubt about the rewards of even a beginning level of fluency. "It's a language that pays us back tenfold—a hundredfold—for every detail we come to recognize and perceive! And it's a language that will only get richer and more varied, as our increasingly global culture contributes ever more vocabulary to it."

In **Understanding the Fundamentals of Music**, Professor Greenberg offers a spirited introduction to this magnificent language—nimble avoiding what for many of us has long been the principle roadblock, the need to read music.

For anyone wanting to master music's language, intensive study of musical notation is fundamental. But this course, as Professor Greenberg notes, is a basic course, designed to introduce you to music's language similar to the way you learned your own native language, by "discovering and exploring musical syntax through our ears—

About Our Sale Price Policy

Why is the sale price for this course so much lower than its standard price? Every course we make goes on sale at least once a year. Producing large quantities of only the sale courses keeps costs down and allows us to pass the savings on to you. This approach also enables us to fill your order immediately: 99% of all orders placed by 2:00 p.m. eastern time ship that same day. Order before August 2, 2007, to receive these savings.



© Cord Stock Photo Library.

by learning what the parts of musical speech sound like—rather than what they look like on paper."

You'll listen to music with new levels of understanding and appreciation, not only when you find yourself at the concert hall, but also at home with your stereo, and when you're listening to your favorite music in the car or on a portable player.

About Your Professor

Professor Robert Greenberg holds degrees from Princeton University and the University of California, Berkeley, where he received a Ph.D. in Music Composition. He has composed more than 45 works and has lectured for many prestigious musical and arts organizations. He is music historian-in-residence with San Francisco Performances, the city's premier presenter of chamber music, instrumental and vocal recitals, jazz, and contemporary dance.

About The Teaching Company

We review hundreds of top-rated professors from America's best colleges and universities each year. From this extraordinary group we choose only those rated highest by

panels of our customers. Fewer than 10% of these world-class scholar-teachers are selected to make The Great Courses. We've been doing this since 1990, producing more than 3,000 hours of material in modern and ancient history, philosophy, literature, fine arts, the sciences, and mathematics for intelligent, engaged, adult lifelong learners. If a course is ever less than completely satisfying, you may exchange it for another, or we will refund your money promptly.

Lecture Titles

1. The Language of Music
2. Timbre, Continued
3. Timbre, Part 3
4. Beat and Tempo
5. Meter, Part 1
6. Meter, Part 2
7. Pitch and Mode, Part 1
8. Pitch and Mode, Part 2
9. Intervals and Tunings
10. Tonality, Key Signature, and the Circle of Fifths
11. Intervals Revisited and Expanded
12. Melody
13. Melody, Continued
14. Texture and Harmony, Part 1
15. Harmony, Part 2—Function, Tendency, and Dominance
16. Harmony, Part 3—Progression, Cadence, and Modulation



THE TEACHING COMPANY®
The Joy of Lifelong Learning Every Day™
GREAT PROFESSORS, GREAT COURSES, GREAT VALUE
GUARANTEED.™

SAVE UP TO \$185!
OFFER GOOD UNTIL AUGUST 2, 2007

1-800-TEACH-12 (1-800-832-2412)
Fax: 703-378-3819

Special offer is available online at
www.TEACH12.com/3nrep

 The Great Courses
THE TEACHING COMPANY
4151 Lafayette Center Drive, Suite 100
Chantilly, VA 20151-1232

Priority Code 24130

Please send me **Understanding the Fundamentals of Music**, which consists of 16 45-minute lectures and complete Course Guidebooks.

- ☐ **DVD \$69.95** (std. price \$254.95) **SAVE \$185!**
plus \$10 shipping, processing, and lifetime satisfaction guarantee.
- ☐ **Audio CD \$49.95** (std. price \$179.95) **SAVE \$130!**
plus \$10 shipping, processing, and lifetime satisfaction guarantee.
- ☐ **Audiotape \$34.95** (std. price \$129.95) **SAVE \$95!**
plus \$10 shipping, processing, and lifetime satisfaction guarantee.
- ☐ **Check or Money Order Enclosed**

* Non-U.S. Orders: Additional shipping charges apply.
For more details, call us or visit the FAQ page on our website.
** Virginia residents please add 5% sales tax.

Charge my credit card:

☐  ☐  ☐  ☐ 

ACCOUNT NUMBER

EXP. DATE

SIGNATURE

NAME (PLEASE PRINT)

MAILING ADDRESS

CITY/STATE/ZIP

PHONE (If we have questions regarding your order—required for international orders)

- ☐ **FREE CATALOG.** Please send me a free copy of your current catalog (no purchase necessary).

Special offer is available online at www.TEACH12.com/3nrep
Offer Good Through: **August 2, 2007**



The graceful swing of Hillary's brother, Hugh. Youngest sibling Tony and Bill watch in awe.

campaigned for state attorney general. They even tagged along with the newlyweds on their Mexican honeymoon.

When Clinton reached the White House, though, Hugh, who worked as a lawyer, and Tony, who had stints as a P.I. and a consultant, proved to be far less convivial companions for the first couple. Troubles began immediately, when the brothers got in a minor fracas for attempting to secure corporate sponsorship for lavish inauguration parties. The press soon pointed out that this scheme amounted to taking exorbitant gifts from lobbyists, and the plans were scrapped. But, not long after that, Hugh attempted to launch his own political career, giving the Clintons a year-long headache.

In 1994, Hugh, then an assistant public defender in the Dade County district attorney's office, decided to run for the U.S. Senate. The campaign was quixotic at best. Hugh had never shown any interest in public office before—indeed, he had never even *voted* until the 1992 presidential elections. The awkward spectacle of Hugh giving rambling interviews to reporters caused just about everyone in the White House—including Hillary—to cringe. “He’s a great guy to sit in a bar with and talk about the Bears; he can drive a golf ball three hundred yards,” says Michael Copperthite, who managed Hugh’s campaign until leaving midway through the election. “But should he have been senator of the fourth-largest state in the country? No.” Copperthite recalls a frenzied campaign with little to say and, frequently, no candidate around to press the flesh. “Hugh’d sleep until

noon, one o’clock,” Copperthite says. Copperthite left the campaign—Hugh’s camp contends that he was “reassigned” due to discrepancies in his resumé—and was replaced by none other than Tony Rodham. The brothers eventually prevailed on the Clintons to make a campaign stop—Hillary spoke on behalf of her brother at several events—but the Republican incumbent still crushed Hugh by a 41-point margin.

That was only the brothers’ first act. After the Senate defeat, Hugh returned to his legal career, while Tony returned to his job as a regional coordinator at the DNC in Los Angeles, a post he soon abandoned. By 1997, he was making headlines again—this time for dabbling in foreign affairs. Confronted by a reporter, Tony admitted that associates of Paraguayan President Juan Carlos Wasmosy had offered him a six-figure “pay-off” to set up a meeting for Wasmosy and President Clinton. Tony balked at the implication that he had (or would) take the money, insisting that he only wanted to be helpful. A year later, Tony sent State Department officials into a frenzy when he visited Cambodia to mingle with the country’s dictatorial Prime Minister Hun Sen. Although Tony claimed he had traveled to the Asian nation as a private citizen, the Cambodian government touted the visit as a signal of President Clinton’s approval during a tumultuous election season. (In fact, Sen had provoked nothing but disapproval from the United States for his abysmal human rights record.) “You can imagine how this plays,” a State

Department official told *The New York Times* at the time of the trip. “President’s brother-in-law comes to town on the eve of an election to offer praise for the thuggish government.” Former aides say Hillary was privately mortified, though she publicly kept mum.

But it wasn’t until September 1999 that Tony cooked up his most bizarre international business venture. Once again teaming up with Hugh, Tony hatched a plan to invest \$118 million to grow and export hazelnuts from the former Soviet republic of Georgia. Also involved in the business was Aslan Abashidze, suspected Mafioso and strongman rival of then-Georgian President (and Clinton ally) Eduard Shevardnadze. “It was like the Hugh and Tony show,” a former aide says. “They had no idea what they were doing.” National Security Advisor Sandy Berger pleaded with the brothers to drop the scheme after Abashidze trumpeted their involvement as a sign of “political support rendered to him by U.S. President Bill Clinton.” But it was only after other White House officials leaned on them that Hugh and Tony agreed to quit the venture. And, a few months later, Tony took up the project again, prompting Berger, at Clinton’s behest, to call in an apologetic disavowal of the youngest Rodham’s activities to the government of Georgia. Hillary, again, maintained her customary silence.

But, in February 2001, shortly after she had started serving her first term as a U.S. senator, Clinton finally broke it. The press had recently learned that Hugh had collected \$400,000 from Carlos Vignali and Almon Braswell after helping them to secure a presidential pardon and commutation. Hillary promised that the money would be returned and told reporters she was “very disappointed.” But, when asked to explain Hugh’s comings and goings at the White House, she noted wearily, “He’s my brother.”

IT’S EXACTLY THAT attitude that propels Hillary to put Tony and Hugh in undeserved positions of influence. Both Rodham brothers declined to comment for this story, as did Senator Clinton’s presidential campaign. But the most telling detail may be the role that Hillary has given Tony this spring. As his legal problems have unfolded, Tony has been helping his sister rake in campaign dollars, tallying up \$175,000 in contributions at one recent Pennsylvania fund-raiser. There was no Ferris wheel at that affair, though it did feature a jazz quartet and a strawberry and pear martini bar.

KEELIN McDONELL

AP PHOTO/JOHN FREEMAN

Supreme Court Justice Questions Marijuana Policy



Justice John Paul Stevens

Dissenting from the recent Supreme Court ruling on the suspension of an Alaskan student for waving a banner – “BONG HITS 4 JESUS” – at a high school event, Justice Stevens takes the long view:

“...the current dominant opinion supporting the war on drugs in general, and our anti-marijuana laws in particular, is reminiscent of the opinion that supported the nationwide ban on alcohol consumption when I was a student. While alcoholic beverages are now regarded as ordinary articles of commerce, their use was then condemned with the same moral fervor that now supports the war on drugs...”

“...just as Prohibition in the 1920's and early 1930's was secretly questioned by thousands of otherwise law-abiding patrons of bootleggers and speak-easies, today the actions of literally millions of otherwise law-abiding users of marijuana, and of the majority of voters in each of the several States that tolerate medicinal uses of the product, lead me to wonder whether the fear of disapproval by those in the majority is silencing opponents of the war on drugs.”

“Stevens compared the current marijuana ban to the abandoned alcohol ban and urged a respectful hearing for those who suggest ‘however inarticulately’ that the ban is ‘futile’ and that marijuana should be legalized, taxed and regulated instead of prohibited.”

– Washington Post, July 26, 2007

70% of the drug war is about marijuana.

Common Sense for Drug Policy

www.CommonSenseDrugPolicy.org www.DrugWarFacts.org

www.ManagingChronicPain.org www.MedicalMJ.org

www.TreatingDrugAddiction.org

info@csdp.org

Heir Time

Is Barack Obama the next JFK?

AT FIRST GLANCE, the Democratic nominee for president in 1960, John Fitzgerald Kennedy—the millionaire Caucasian war hero for whom I worked for eleven golden years—seems notably different from the most interesting candidate for next year's nomination, Senator Barack Obama. But when does a difference make a difference? Different times, issues, and electors make any meaningful comparison unlikely. But the parallels in their candidacies are striking.

Fifty years ago, Kennedy and I embarked on a period in which we traveled to all 50 states in his long, uphill quest for the 1960 Democratic presidential nomination. He was, like Obama, a first-term U.S. senator. But he was not yet 40 years old, making Obama, already 45, a geezer by comparison.

At the time, Washington pundits assumed Kennedy had at least two insurmountable obstacles. The first was his lack of experience, especially compared with the senior statesmen also seeking that nomination—Lyndon Johnson, Hubert Humphrey, Adlai Stevenson, and Stuart Symington. Kennedy acknowledged that his age and inexperience would turn away some voters. Obama, though older than Kennedy, is similarly dismissed by some today. But Kennedy noted in one speech that “experience is like tail-lights on a boat which illuminate where we have been when we should be focusing on where we should be going.”

Kennedy's second major obstacle was his heritage. Some said he had lost his chance to be president of the United States the day he was born—or, at least, the day he was baptized as a Roman Catholic. No Catholic had ever been elected president of the United States, and the overwhelming defeat suffered by the only Catholic nominated for that position, Governor Al Smith of New York in 1928, had persuaded subsequent Democratic leaders that it would be hopeless ever to risk that route again. The conviction that no Catholic could win was greater, in that less enlightened era 50 years ago, than the widespread assumption today that a black presidential candidate cannot win. The subtly bigoted phrase most often repeated in that election year—by

former President Harry Truman, among others—was that 1960 was “too early” for a Catholic president, that the country was “not ready,” and that Kennedy should be a “good sport” by settling for the vice presidency. No doubt Obama will hear—or has already heard—similar sentiments about the color of his skin.

Even some Catholic religious leaders—who thought Kennedy was not Catholic enough, having attended secular schools and expressed disagreement with the Catholic hierarchy on church-state separation—opposed his candidacy. So did some Catholic political leaders who



thought his candidacy might raise unwanted controversies or produce an unwanted rival to their own positions (much as Al Sharpton and Vernon Jordan may not initially welcome an Obama candidacy). But, in time, Kennedy's speeches and interviews strongly favoring traditional church-state separation reassured all but the most bigoted anti-Catholics. In the end, despite his ethnic handicap, Kennedy proved to be less divisive than his major opponent, fellow senator Hubert Humphrey. Obama may prove the same.

IN ADDITION TO their similar handicaps, Kennedy and Obama share an extraordinary number of parallels. Both men were Harvard-educated. Both rose to national attention almost

overnight as the result of starring roles at the nationally televised Democratic convention preceding their respective candidacies: Kennedy in 1956, when he delivered the speech nominating Stevenson and subsequently came close to winning an open-floor struggle for the vice presidential nomination with Estes Kefauver; Obama in 2004, by virtue of his brilliant speech to the convention that year in Boston.

Both also gained national acclaim through their best-selling inspirational books—Kennedy's *Profiles in Courage*, published in 1956, and Obama's *The Audacity of Hope*, published in 2006. Both men immediately stood out as young, handsome, and eloquent new faces who attracted and excited ever larger and younger crowds at the grassroots level, a phenomenon that initially went almost unnoticed by Washington leaders and experts too busy interviewing themselves.

Kennedy's speeches in early 1960 and even earlier, like Obama's in early 2007, were not notable for their five-point legislative plans. Rather, they focused on several common themes: hope, a determination to succeed despite the odds, dissatisfaction with the status quo, and confidence in the judgment of the American people. In sprinkling their remarks with allusions to history and poetry, neither talked down to the American people. JFK was so frank about his disagreements with the leadership of his Catholic “base” that one Catholic journal editorialized against him; Obama was equally frank and courageous with the Democrats' organized labor base in assessing the competitive prospects of the American auto industry in Detroit. Both

were unsparing in their references to the “revolving door” culture in Washington.

On foreign policy, both emphasized the importance of multilateral democracy, national strength as a guardian of peace, and the need to restore America's global standing, moral authority, and leadership. Both warned of the dangers of war: Kennedy motivated by his own harsh experience in World War II, Obama by his familiarity with suffering in all parts of the world. Both were cerebral rather than emotional speakers, relying on the communication of values and hope rather than cheap applause lines.

Perhaps most tellingly, both preached (and personified) the politics of hope in contrast to the politics of fear, which characterized Republican speeches dur-

KENNEDY: AP PHOTO; OBAMA: CARRIE DEVORAH/WENN

ing their respective eras. In 1960 and earlier, cynics and pessimists accepted the ultimate inevitability of nuclear war between the United States and the Soviet Union, much as today they assume a fruitless and unending war against terrorism. Hope trumped fear in 1960, and I have no doubt that it will again in 2008.

ALTHOUGH President Kennedy became the breakthrough president on civil rights, health care, and other liberal issues, he was not the most liberal candidate for the nomination in 1960. His emphasis on the importance of ethics, moral courage, and a multilateral foreign policy made him—like Obama—hard to pigeonhole with a single ideological label. His insistence that the United States “must do better” in every sphere of activity, including its cold war competition with the Soviet Union, caused some historians to mistakenly recall that he “ran to the right” of Richard Nixon on national security issues, forgetting his emphasis on negotiations and peaceful solutions.

JFK’s establishment opponents—probably not unlike Obama’s—did not understand Kennedy’s appeal. “Find out his secret,” LBJ instructed one of his aides sent to spy on the Kennedy camp, “his strategy, his weaknesses, his comings and goings.” Ultimately, Kennedy was both nominated and elected, not by secretly outspending or out-gimmicking his opponents but by outworking and out-thinking them, especially by attracting young volunteers and first-time voters. Most of Kennedy’s opponents, like Obama’s, were fellow senators—Johnson, Humphrey, and Symington—who initially dismissed him as neither a powerhouse on the Senate floor nor a member of their inner circle. That mattered not to the voters; nor does it today.

Above all, after eight years out of power and two bitter defeats, Democrats in 1960, like today, wanted a winner—and Kennedy, despite his supposed handicaps, was a winner. On civil rights, the Cuban Missile Crisis, the race to the moon, and other issues, President Kennedy succeeded by demonstrating the same courage, imagination, compassion, judgment, and ability to lead and unite a troubled country that he had shown during his presidential campaign. I believe Obama will do the same. *THEODORE SORENSEN*

Theodore Sorensen worked with John F. Kennedy for eleven years, first as his senatorial assistant and then in the White House as his special counsel and adviser. He is presently working on his memoirs, to be published in 2008.



Old Spice

Why David Beckham sucks.

GEORGE BEST, arguably the greatest British soccer player of all time, once said of David Beckham: “He cannot kick with his left foot, he cannot head a ball, he cannot tackle, and he does not score many goals. Apart from that, he’s all right.” Best minced his words at a time when Beckham was a runner-up for the 1999 FIFA world player of the year and at the peak of his career, having successfully recovered from vilification following a mindless tantrum that led to his expulsion from a 1998 World Cup game against Argentina. Playing with a man short, England lost the game, being thus eliminated from the tournament. Beckham was widely blamed for the loss; indeed, the *Daily Mirror* printed a dartboard with a picture of him centered on the bull’s-eye, while his effigy was hung outside a London pub. But, in 1999, Manchester United, his club, would win the English Premier League title, the F.A. Cup, and, to top it all, the European Champions League, and Beckham was instrumental in those achievements. At the time of Best’s generous assessment, Beckham’s star was as blindingly sparkling as ever, but Best managed to squint and see the truth beyond the glare.

And he was right, of course: Beckham—whom you no doubt have heard has just joined the Los Angeles Galaxy of Major

League Soccer for \$250 million—leans on a golden right foot, capable of producing sublime crosses and free-kicks, but his range as a player has always been severely limited. On Sir Alex Ferguson’s Manchester United team, Beckham’s role as a right wing feeding the forwards was narrowly defined, and he was never allowed to stray from it. The team won when he and his mates stuck to the game plan, often enforced by the half-time “hair-dryer treatment”—Ferguson screaming in their faces. In 2003, they claimed another Premier title. It would be four years before David Beckham won anything again.

THE CLEATS started coming off Beckham’s Man U career after he married one Victoria Adams, commonly known at the time as Posh Spice, a member of the bimbo-band Spice Girls. The courtship of Becks and Posh—as they were lovingly called—had been a dream come true for the British tabloids, especially since the couple did not exactly try to escape the life of trashy celebrity. They sold the rights to cover their wedding to *OK! Magazine* and then put on a show: The wedding took place at Luttrellstown Castle, Ireland; cost about \$1,000,000; required a staff of 437; and bore fruit in the shape of photos, published in every gossip rag, of Posh and Becks sitting on golden thrones.

Ferguson believed that the Beckhams’ life of celebrity and Victoria’s rising influence over David, evident in his frequent hairstyle changes, were detrimental to the young lad’s game and to team spirit. In 2000, Beckham missed training to care for Brooklyn, the Beckhams’ first child, suffering from gastroenteritis. But that same night, Victoria posed for photographers at a London Fashion Week event, and Ferguson was hair-dryingly furious. Beckham’s fame now exceeded his teammates’, even if his performances started slacking. In 2003, after a defeat to London rivals Arsenal, Ferguson kicked a soccer shoe that struck Beckham above the eye, resulting in a cut that required two sutures. That summer, Beckham was offloaded to spending-crazy Real Madrid, building a squad of soccer stars bloated with greatness and uninterested in running, for whom making a fancy pass with a back heel would always be far more attractive than defending. They were known as the *galacticos*, and Beckham fit right in. Real Madrid, the most successful European club of all time and one of the richest, won absolutely nothing during Beckham’s tenure—until this year. In the same period, Beckham won

no international tournaments with the English national team. On top of not scoring goals, he does not win much. Did the L.A. Galaxy people read his resumé at all?

The day he arrived in Madrid, the team shirt with Beckham's name on it sold out at the club store. It was obvious that the primary reason for Beckham's signing was Real's ambition to sell itself and Beckham as galactically renowned brands. Beckham was entirely unneeded as a player: He could not play in his right-wing position, which was beholden to Luis Figo, another exorbitantly paid *galactico*. Therefore, he frequently embarrassed himself playing in positions that required all the skills he never had: defense, tackling, using his left foot. His soccer career has steadily declined since 2003, and, when he started negotiating with the L.A. Galaxy, a place on Real's first team was beyond his reach. After the Galaxy deal's announcement, Real's coach, Fabio Capello, declared that Beckham would never play for him again. But, in the desperate race for the Spanish title, he reinstated Beckham, who actually briefly managed to contribute to Real's successful pursuit of the championship. The pressure of having to prove that he was one of the Real greats made him play like an occasionally good player, as he has been for most of his life.

BECKHAM ARRIVES in the United States with the dubious achievement of being the most overrated and overpaid player in the history of sports. The bright minds of U.S. soccer have apparently decided there is no longer need to avoid the mistakes made by the ill-fated North American Soccer League (NASL). Back in the '70s, NASL spent all its money on aged, exhausted stars in the hopes of attracting the elusive American fan, who prefers sports with enough breaks to permit fetching another beer from the remote fridge. MLS has, in one fell swoop, destroyed its wage structure, creating a situation in which Beckham's teammates will earn up to 350 times less than him—it is a question of time before a player earning the soccer equivalent of minimum wage unleashes a vengeful two-footed tackle at Becks' delicate, precious legs (particularly since Beckham injured one of them in his last game for Real). With Beckham's landing on the American pitch, over will be the days when U.S. soccer was built from the ground up, when the primary fan base was immigrants familiar with the rules of the sport and capable of pronouncing correctly the players' names. Indeed,

over are the days of U.S. soccer.

Beckham's main quality in the U.S. market is, of course, his brand-name celebrity aura. If in doubt, witness the image of Becks as a fetching prince on a white horse, saving his Sleeping Beauty as part of Disney World's "Year of a Million Dreams" advertising campaign. Thus Beckham has joined Donald Duck and Goofy in the U.S. soccer pantheon. Unlike the elitist circles of global soccer, where professional players are actually required to win games between their celebrity stunts, American sports-as-entertainment culture seems ready to worship unconditionally Beckham's right foot and boyish attractiveness. It also appears to be hungry for Mrs. Beckham's impressive vacuity—she once frankly owned up to never having read

a book in her life—which should reach its height on U.S. television: Victoria has signed up with NBC for her own fashion reality special, in which David might be subjected to kinder, gentler hair-drying treatments.

The Beckhams' move to California should perhaps be of interest to a tired anthropologist studying the American penchant for turning moronic mediocrity into profitable celebrity—but never, ever to a soccer fan. For a true fan prefers watching the lesser celebrities who can use both of their feet, head the ball, and tackle; those players who score goals and do the unfashionable work of winning.

ALEKSANDAR HEMON

Aleksandar Hemon, the author of NOWHERE MAN, writes about and plays soccer.



Mixed Message

Daniel Pearl's father on A MIGHTY HEART.

IUSED TO BELIEVE that the world was essentially divided into two types of people: those who were broadly tolerant and those who felt threatened by differences. If only the forces of tolerance could win out over the forces of intolerance, I reasoned, the world might finally know some measure of peace.

But there was a problem with my theory, and it was never clearer than in a conversation I once had with a Pakistani friend who told me that he loathed people, like President Bush, who insisted on

dividing the world into "us" and "them." My friend, of course, was taking an innocent stand against intolerance and did not realize that, in so doing, he was in fact dividing the world into "us" and "them," falling straight into the camp of people he loathed.

This is a political version of a famous paradox formulated by Bertrand Russell in 1901, which shook the logical foundations of mathematics. Any person who claims to be tolerant naturally defines himself in opposition to those who are intolerant. But that makes him intolerant of certain people—which invalidates his claim to be tolerant.

The political lesson of Russell's paradox is that there is no such thing as unqualified tolerance. Ultimately, one must be able to expound intolerance of certain groups or ideologies without surrendering the moral high ground normally linked to tolerance and inclusivity. One should, in fact, condemn and resist political doctrines that advocate the murder of innocents, that undermine the basic norms of civilization, or that seek to make pluralism impossible. There can be no moral equivalence between those who seek—however clumsily—to build a more liberal, tolerant world and those who advocate the annihilation of other faiths, cultures, or states.

Which brings me to my son, Daniel Pearl. Thanks to the release of *A Mighty Heart*, the movie based on Mariane Pearl's book of the same title, Danny's legacy is once again receiving attention. Of course, no movie could ever capture exactly what made Danny special—his humor, his integrity, his love of humanity—or why he was admired by so many. For journalists, Danny represents the courage and nobility inherent in their profession. For Americans, Danny is a symbol of one of our very best national instincts: the desire to extend a warm hand of friendship and dialogue to faraway lands and peoples. And for anyone who is proud of their heritage or faith, Danny's last words, "I am Jewish," showed that it is possible to find dignity in one's identity even in the darkest of moments. Traces of these ideas are certainly evident in *A Mighty Heart*, and I hope viewers will leave the theater inspired by them.

At the same time, I am worried that *A Mighty Heart* falls into a trap Bertrand Russell would have recognized: the trap of moral equivalence, of seeking to extend the logic of tolerance a step too far. You can see hints of this in the film's comparison of Danny's abduction to Guantánamo—it opens with pictures from the prison—and its comparison of Al Qaeda militants to CIA agents. You can also see it in the comments of the movie's director, Michael Winterbottom, who wrote on *The Washington Post's* website that *A Mighty Heart* and his previous film, *The Road to Guantánamo*, "are very similar. Both are stories about people who are victims of increasing violence on both sides. There are extremists on both sides who want to ratchet up the levels of violence and hundreds of thousands of people have died because of this."

Drawing a comparison between Dan-



ny's murder and the detainment of suspects in Guantánamo is precisely what the killers wanted, as expressed in both their e-mails and the murder video. Obviously Winterbottom did not mean to echo their sentiments, and certainly not to justify their demands or actions. Still, I am concerned that aspects of his movie will play into the hands of professional obscurers of moral clarity.

Indeed, following an advance screening of *A Mighty Heart*, a panelist representing the Council on American-Islamic Relations reportedly said, "We need to end the culture of bombs, torture, occupation, and violence. This is the message to take from the film." The message that angry youngsters are hearing is unfortunate: All forms of violence are equally evil; therefore, as long as one persists, others should not be ruled out. This is precisely the logic used by Mohammed Siddiqui Khan, one of the London suicide bombers, in his 2005 videotape on Al Jazeera. "Your democratically elected governments," he told Westerners, "continuously perpetuate atrocities against my people. . . . [W]e will not stop this fight."

DANNY'S TRAGEDY demands an end to this logic. There can be no comparison between those who take pride in the killing of an unarmed journalist and those who vow to end such acts—no ifs, ands, or buts. Moral relativism died with Daniel Pearl, in Karachi, on January 31, 2002.

There was a time when drawing moral symmetries between two sides of every conflict was a mark of original thinking. Today, with Western intellectuals overextending two-sidedness to reckless absurdities, it reflects nothing but lazy conformity. What is needed now is for intellectuals, filmmakers, and the rest of us to resist this dangerous trend and draw legitimate distinctions where such distinctions are warranted.

My son Danny had the courage to examine all sides. He was a genuine listener and a champion of dialogue. Yet he also had principles and red lines. He was tolerant, but not mindlessly so. I hope viewers will remember this when they see *A Mighty Heart*. JUDEA PEARL

Judea Pearl is president of the Daniel Pearl Foundation, an organization committed to interfaith dialogue, and co-editor of I AM JEWISH: PERSONAL REFLECTIONS INSPIRED BY THE LAST WORDS OF DANIEL PEARL.

Scot's Honor

Gordon Brown promises a different look.

OFTEN WHEN political leaders, or anyone else for that matter, have been waiting and preparing for their big break for more than a decade, they end up flubbing their lines—step forward, Al Gore. But Gordon Brown's first weeks in office have unfolded with few political hitches. His reshuffled cabinet manages to combine experience with a sufficient number of fresh faces in top jobs—most notably new Home Secretary Jacqui Smith, the first woman to hold the post—to mark a new start. Brown also invited into government various leading experts from other parties and the politically unaligned, thereby helping to shake off his image as a more tribal Labour politician than Tony Blair. At the same time, he dented his reputation as a control freak by announcing proposals for restoring authority to Parliament and to the cabinet—often bypassed during the Blair years. And he deftly handled his first major crisis—the failed terrorist bombs in London and Glasgow—addressing the country in a competently statesman-like manner. As a result, the Labour government's ratings now place it ahead of the Conservative Party for the first time in more than a year. "It was always going to be tricky to provide a sense of a fresh course without repudiating the inheritance of the last ten years, with which Gordon has been so intimately associated," one close aide told me. "But, so far, we have got the balance about right."

So, buoyed by this initial bounce, what difference will Brown make to British politics and to Britain's international role in the two years or so before the next election? The truth is: not much of one. Blair and Brown—despite their rows and ego clashes—were ideologically inseparable in the creation of New Labour in the early '90s. There is no such thing as Brownism. In domestic policy, Brown always has been seen as ideologically to Blair's left. But Brown was, in fact, the main architect of the centrist economic policy of New Labour. He has been a pretty orthodox chancellor of the exchequer and only favors intervening in the economy where a clear case of market failure can be proved. And, while it is true that he has been the force behind most of Labour's recent redistributionist programs, he has also been a friend to the rich and entrepreneurial. Brown has sharply cut capital gains taxes on the sale of companies, and he, more than anyone else, is responsible for Labour's unwritten pact with London high finance—

under which the government ensures a favorable tax regime (so favorable that the IMF has described Britain as a tax haven) and light regulation in return for the City effectively sustaining the economy of southeast England, albeit at the cost of sharply rising inequality.

If there is a more left-wing side to Brown, it may be his skepticism about some of the pro-choice and pro-competition reforms to public services—in particular health and education—that have been Blair's domestic policy passion for the past five years. But most of these steps were popular with voters, so Brown's initiatives in this area are unlikely to go much beyond an attempt to raise the morale of National Health Service employees who feel battered by recent changes to the system.

In foreign policy, Brown's room for movement is very limited, but his thinking is, if anything, more right-wing than Blair's. He certainly has been more nationalistic in his rhetoric toward the European Union and blocked Blair's attempt to take Britain into the EU's single currency. True, Brown will be under pressure to demonstrate greater independence from Washington. But Brown is at least as pro-American as Blair: He has for years vacationed each summer on Cape Cod, enjoys strong connections with leading Democrats, and is quite conversant in U.S. politics and economics. "Gordon is really an American liberal," says Geoff Mulgan, who used to be an adviser to Brown and now heads the Young Foundation, a social affairs think tank.

Moreover, Brown is unlikely to confront foreign policy dilemmas as sharp as those that forced Blair into difficult positions. While Blair was unlucky in his foreign counterparts—George W. Bush, Jacques Chirac, Gerhard Schroeder—Brown will only overlap with a badly weakened Bush for 18 months and will sit alongside the reasonable Angela Merkel and the relatively pro-Anglo-Saxon Nicolas Sarkozy at the top of the European Union. And so, even though Brown is more skeptical of European integration than his predecessor, he may actually end up having a better relationship with Europe's main leaders.

IF LITTLE OF policy substance will change on Brown's watch, what will define his premiership? In a word, style—ironic for a man who has long been derided for his lack of public panache. A strikingly different personality from Blair, the 56-year-old Brown is an uncomfortable, self-conscious, earnest



man—in many ways, a typical product of his upbringing as the son of a Church of Scotland clergyman in the east Scotland town of Kirkcaldy (the hometown of Adam Smith), just across the Firth of Forth from Edinburgh. He was academically precocious, entering Edinburgh University at the age of 16. There, he took a first in history and plunged into left-wing politics. After a brief spell as an academic and a briefer spell as a TV journalist, he was elected to Parliament from his hometown in 1983 and then, in the early '90s, played a central role, along with Blair, in creating the new, moderate Labour Party.

Brown has neither Blair's charm nor his way with words, but he is, unusually for a top politician, an intellectual. He is not, of course, rushing to describe himself as such, in a country where intellectuals are not held in high regard. And certainly, on some criteria, the tag does not really fit. He is not publicly eloquent, and he is both too much of a magpie about where he collects ideas and too much of a loner to lead a school of thought. But he is clever, extremely well-read, and interested in ideas in a way that few, if any, prime ministers have been in the past 100 years. (Though Americans think of Blair as an intellectual, that probably says more about the degraded standards for intellectual curiosity among American politicians than

it does about Blair. Here in Britain, fairly or not, Blair came to be regarded as a master actor rather than a heavyweight thinker.)

Apart from all his obvious intellectual influences—the Scottish Enlightenment, social democracy, his Church of Scotland upbringing—Brown is perhaps best identified as a member of the rather large group of intellectuals who were once left-wing but have drifted toward the center. He still holds to some of the core beliefs of moderate social democracy and still believes in the power of knowledge and ideas to change the world for the better. But, in everything from economics to personal morality, Brown is now just as comfortable with thinkers of the center, and even the right, as with those of the left. He has, for example, been very influenced by two leading American conservatives, James Q. Wilson and Gertrude Himmelfarb. (In the case of Wilson, he found his book *The Moral Sense* a useful argument against the simplicities of neoliberal individualism; and, in the case

of Himmelfarb, he was drawn to her defense of the English Enlightenment as opposed to its French version.) Some formerly leftist intellectuals end up believing in very little; Brown, at least, has had the moral earnestness and social Christianity of his upbringing to fall back on, although no one really knows whether or not he is a believing Christian.

How will British voters take to this new, more serious style of politics? A decade or two ago, there is little question that it would have attracted widespread approval. But it is possible that it will now be associated with a pompous Scottishness contrary to the raffishness and glib materialism of much of modern England. Moreover, the current British electorate may demand more emotional empathy than Brown is capable of offering. Being serious and strategic might no longer be the prime ministerial virtues that they have often been for the past 200 years. On the other hand, after the perceived sleaze of the later Blair years, perhaps it is not just *Guardian*-reading liberals who will find Brown's sober style appealing. His aides believe that the country is ready for a bit more moral gravity. We will find out soon enough whether they are right.

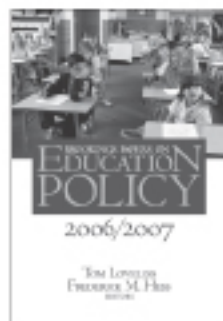
DAVID GOODHART

David Goodhart is the founder and editor of London-based *PROSPECT* magazine.

Essential Books on Education Policy

From The Brown Center
at the Brookings Institution

NEW BOOKS



Brookings Papers on Education Policy 2006/2007

Tom Loveless &
Frederick M. Hess, eds.

295 pp., paper, 978-0-8157-1184-1, \$35.00



COMING SOON

Standards-Based Reform and the Poverty Gap *Lessons for "No Child Left Behind"*

Adam Gamoran, ed.

320 pp., cloth, 978-0-8157-3032-3, \$64.95
paper, 978-0-8157-3033-0, \$28.95



School Money Trials *The Legal Pursuit Of Educational Adequacy*

Martin R. West & Paul E. Peterson, eds.

373 pp., Cloth, 978-0-8157-7030-5, \$59.95
Paper, 978-0-8157-7031-2, \$26.95

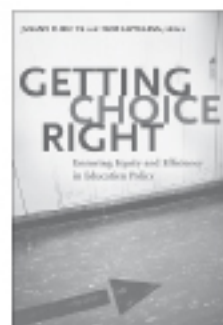


COMING SOON

Lessons Learned *What International Assessments Tell Us about Math Achievement*

Tom Loveless, ed.

256 pp., cloth, 978-0-8157-5334-6, \$62.95
paper, 978-0-8157-5333-9, \$26.95



Getting Choice Right *Ensuring Equity and Efficiency in Education Policy*

Julian Betts & Tom Loveless, eds.

255 pp., cloth, 978-0-8157-5332-2, \$49.95
paper, 978-0-8157-5331-5, \$19.95



COMING SOON

The 2007 Brown Center Report on American Education

*How Well Are American
Students Learning?*

Tom Loveless

100 pp., paper, 978-0-8157-5328-5, \$12.95

 **THE BROWN CENTER ON
EDUCATION POLICY**

Brookings Institution Press
Phone: 800-537-5487 or 410-516-6956; Fax: 410-516-6998
Available at your local bookstore or order online at
www.brookings.edu/press



Who's Your Daddy?

The masculine mystique of Fred Thompson.

MICHELLE COTTLE

THWACK! An elaborately beaded elephant handbag lands solidly on Fred Thompson's upper arm. "Law and Order on the Border!" the bag's owner, a short, sassy, middle-aged brunette, crows at the presumed presidential candidate. "There's your campaign slogan right there!" Vibrating with pride at her cleverness in linking Thompson's get-tough immigration stance with the title of the NBC series on which he until recently starred, the Republican dame grins broadly and repeats the line with even greater gusto: "Law and Order on the Border!" The former Tennessee senator, characteristically imposing in dark blue pinstripes, responds with a smile of indulgence and weary amusement as he ambles through the herd of fans trailing him across the lower level of the Greater Richmond Convention Center, where he has just headlined the Virginia Republican Party's 2007 Commonwealth Gala.

Thanks to poor acoustics, some in the audience were unable to understand Thompson's address, but this in no way dampened their ardor. "Can you hear him?" one of a gaggle of older ladies at the table in front of me demanded of her girlfriends as he launched into his stump speech. "I can't hear him! I can't hear him—but I love him!"

Now, as the actor and erstwhile politician rambles toward the back exit, autograph-seekers thrust programs and pens into his large hands. Digital cameras flash and giggling soccer moms in too-tight cocktail frocks wrap their arms around Thompson's trunk-like waist as their husbands struggle to snap cell phone pictures. Through it all, the phlegmatic senator nods, presses the flesh, mumbles an occasional response to inquiries about his presidential plans—"we're exploring away"; "the waters feel pretty warm to me"—and scribbles his signature over and over again. With his Droopy Dog mug, his virtually bald pate, and his bulky, six-foot-five frame overshadowing the throng, the 64-year-old candidate resembles nothing so much as a mildly beleaguered father surrounded by a pack of attention-seeking children.

To watch Thompson work a crowd like this is to glimpse the primordial roots of the Fred Fever currently gripping the GOP. Part of the appeal is obvious: A well-known actor, Thompson carries with him an inherent star quality that cannot be overestimated in our celebrity-obsessed culture. Moreover, after years of portraying a particular type of folksy authority figure, Thompson gives voters the sense that they already know who he is and what sort of leader he would be. Conversely, as a still relatively unknown political commodity, the candidate has a touch of the blank-slate phenomenon working for him, allowing savior-hungry Republicans to project onto him whichever personal and ideological traits they most desire. Underlying all of this, however, is an even more primal allure: In any given situation, Fred Thompson fundamentally *seems* like more of a man than anyone else around him.

If there's one thing conservatives are obsessed with these days, it's manliness. Saddled with a president they once cheered as a kick-ass cowboy but have come to scorn as weak on ev-

everything from immigration to government spending, Republicans are desperate for a competent, confident champion to make them feel good about themselves again. As Rudy Giuliani recently told a crowd of Delaware supporters, "What we're lacking is strong, aggressive, bold leadership like we had with Ronald Reagan."

Enter Fred Thompson. More than anyone in the field—more than Giuliani, more than John McCain, and certainly more than the altogether-too-well-coiffed Mitt Romney—Thompson exudes old-school masculinity. Along with the burly build, he has the rumbling baritone, the low-key self-assurance, and the sense of gravitas honed by years as a character actor playing Important Men. In Thompson's presence (live or on-screen), one is viscerally, intimately reassured that he can handle any crisis that arises, be it a renegade Russian sub or a botched rape case.

But therein lies the irony. For, while the veteran actor certainly looks and sounds the part of the man's man in this race, there's precious little in either his personal or political history to suggest that he overflows with any of the attributes commonly associated with manliness, such as determination, perseverance, leadership ability, or garden-variety toughness. By his own account, Thompson is a not especially hard-charging guy who has largely meandered through life, stumbling from one bit of good fortune to the next with an occasional nudge from those close to him. It is, to some extent, part of his much-ballyhooed comfortable-in-his-own-skin charm. But it also raises questions about whether he has the gumption to gut out a presidential race when it inevitably becomes difficult, or mean, or plain old boring. In short, is Fred Thompson really enough of a man for this fight?

YOUNG FREDDIE THOMPSON never postured himself the future leader of the free world. He wanted to be a high school basketball coach. It was an obvious aim for a big guy from a small town who had the brains for academics but not the enthusiasm. Raised modestly middle-class in the central Tennessee town of Lawrenceburg, the teenage Thompson was regarded as likeable, outgoing, lazy (he had a tendency to doze off during class), and an incorrigible cutup. (As the *Nashville Tennessean* charmingly reported, Thompson's high school principal had to create a separate study hall for the mischief-making athlete and one of his close pals, accessible only through the principal's office.) Most folks assumed Freddie's future held nothing more exceptional than following his dad into the used-car business. The summer after his junior year, Thompson got his girlfriend, Sarah Lindsey, "in trouble," as people used to delicately put it. The couple married in September of Thompson's senior year and moved in with Sarah's parents while the groom finished high school. Fred Dalton "Tony" Thompson Jr. was born in spring 1960. Three years later, daughter Betsy arrived during her parents' junior year at Memphis State University. In 1964, Thompson enrolled at Vanderbilt Law School in Nashville, and, for the next three years, Sarah taught (when not on maternity leave with their third child, Dan) while Fred



worked as everything from a shoe salesman to a hotel night clerk to help support the family.

Over the years, Thompson has made repeated reference to the fact that he isn't the kind of guy driven to achieve. "I have never beaten down a lot of doors in my life," he told Fox News in March. "Occasionally, doors have opened to me, and I had sense enough to see they were opening and I would walk through them, and they've always turned out well for me." Ironically, getting his high school sweetheart pregnant was the first and arguably most important of these doors. Considerably more goal-oriented than her young beau, Sarah has long been credited with starting Thompson on the road to personal maturity and professional direction. Better still: Her family, active in the local GOP, helped steer Freddie toward a career in law and politics. Sarah's grandfather, an attorney, is said to have been the inspiration behind Thompson becoming a Republican, and Thompson's first job out of law school was in the Lawrenceburg practice of Sarah's uncle, also a big GOP booster. Soon, Thompson began stretching his own political wings: helping organize a Young Republicans group for Lawrence County, managing a (failed) U.S. congressional campaign in 1968, and winning a spot on the county's Republican Executive Committee. From that post, he could network with state party bigwigs, including the man who would become his political Yoda, Senator Howard Baker.

The godfather of the modern Tennessee GOP, Baker was known for recruiting hot young talent in his quest to revivify the state party. (Lamar Alexander was another fabulous Baker boy.) Thompson swiftly emerged as one of the senator's most promising prospects. In 1969, Baker helped Thompson land a position as assistant U.S. attorney for the Middle District of Tennessee, a post that provided the fledgling lawyer with some

Role playing: Thompson as himself in his Hollywood debut, MARIE; overseeing the skies as a head of air traffic control in DIE HARD 2; playing a gruff FBI honcho in THUNDERHEART; practicing for the presidency as Ulysses S. Grant in BURY MY HEART AT WOUNDED KNEE; and lecturing the Secret Service as White House chief of staff in IN THE LINE OF FIRE.

early media training. "The U.S. attorney whom he worked for didn't like to try cases. Fred did, and soon he became a hot item in the local media," recalls William Kirkland, Thompson's best buddy from law school. "He was interviewed quite a bit—and he didn't shy away from that publicity." After working on Baker's 1972 reelection campaign, Thompson really hit the big time in 1973, when Baker, to the consternation of his Senate colleagues, drafted the unknown Tennessean to serve as minority counsel on the Watergate hearings. While Thompson didn't distinguish himself as a great legal mind during the proceedings, he did make a national splash when he famously asked White House aide Alexander Butterfield whether he knew of any listening devices in the Oval Office. The moment was pure political theater, as both parties' legal teams already knew the answer. But being chosen to ask the question in front of the TV cameras (a coup engineered by Baker) gave Thompson a healthy dose of national celebrity. By the hearings' end, the small-town lawyer with the unforgettable voice had signed with a major-league speakers' bureau in New York. "I got paid large sums of money for giving speeches in schools that I could never have gotten into," he later joked to *The New York Times*.

Post-Watergate, Thompson returned to private practice in Tennessee, where another door swung wide. In 1977, he represented Marie Ragghianti, a former head of the state parole board suing Democratic Governor Ray Blanton for wrongful termination. The case brought to light a cash-for-clemency scheme that ultimately took down the corrupt admin-

istration. More importantly, it launched Thompson's acting career when he was cast to play himself in a movie about the scandal, titled *Marie*. A string of supporting roles in better-known films and TV shows followed, and, for the bulk of a decade, Thompson performed an impressive two-step, simultaneously forging political ties as a Beltway lobbyist and perfecting his public persona as the face (and voice) of institutional authority in such films as *No Way Out* (in which he played the director of the CIA), *Fat Man and Little Boy* (a major general), *The Hunt for Red October* (a rear admiral), *Thunderheart* (an FBI honcho), and *In the Line of Fire* (the White House chief of staff).

In 1994, Baker cracked yet another door for his protégé, approaching Thompson, by then a minor celebrity, with a new proposition: running for the Senate seat left vacant thanks to Al Gore's ascension to the vice presidency. Thompson, who had previously rejected his party's urgings to pursue elected office, reluctantly agreed. But his campaign against Democratic Representative Jim Cooper stalled out of the gate, with Thompson trailing by more than 20 points nine months out. As the story goes, over a meal at a local Cracker Barrel, campaign manager Tom Ingram asked a dispirited Thompson how he would run the race if he had his druthers. ("He wasn't having a good time," recalls Ingram, now a Senate aide to Lamar Alexander.) Thompson said he'd like to throw on a pair of jeans and drive around the state just chatting folks up. Voilà! A populist phenom was born. In early August, Thompson ditched his suits, rented

MGM/EVERETT COLLECTION; 20TH CENTURY FOX/EVERETT COLLECTION; IFRAS PICTURES/PHOTOFEST



a red Chevy pickup, and commenced his good-ole-boy charm offensive. Playing to the broad anti-Washington sentiment of the time, Fred cheered the virtues of “citizen legislators” over career pols, decried Washington’s misguided efforts to “tax ourselves into prosperity,” and vowed to “go up there and grab that place by the scruff of the neck and give it a good shake.” Three months later, despite Cooper’s attempts to paint him (not inaccurately) as a “Gucci-wearing, Lincoln-driving, Perrier-drinking, Grey Poupon—spreading millionaire Washington special interest lobbyist,” Thompson won the race by 20 points. Two years later, he was reelected by an even fatter margin. Though touted as a prospective presidential candidate for 2000, he opted not to run after his Senate investigation into foreign contributions to the Clinton-Gore campaign failed to uncover any actionable misdeeds.

In January 2002, Thompson suffered a devastating personal loss when his daughter Betsy died of an accidental prescription-drug overdose. A few weeks later, he announced that he would not seek reelection to the Senate. Heading back into the private sector, Thompson looked to resume both his lobbying and his acting careers. Conveniently, before his term was even up, Thompson was cold-called by “Law & Order” creator Dick Wolf, who wanted to know if he would be interested in joining the cast of the spectacularly popular franchise. Since then, literally millions of Americans have come to know Thompson as the dashing, curmudgeonly, and com-fortingly conservative District Attorney Arthur Branch.

Thompson also kept a toe in the world of public policy. In addition to his lobbying and acting, he serves as a member of the Council on Foreign Relations, a visiting fellow at the conservative American Enterprise Institute, and chairman of the State Department’s Interna-

tional Security Advisory Board. He has also been pinch-hitting for the venerable radio commentator Paul Harvey on the ABC radio network. By all accounts, Thompson is successful beyond his wildest childhood dreams. But, late last year, after fellow Tennessean and former Senate Majority Leader Bill Frist announced that he would not run for president, those closest to Thompson once again began whispering in his ear about bigger, better things. Perhaps the most influential of these whisperers has been Thompson’s second wife, Jeri Kehn Thompson.

If Thompson’s first wife put him on the path to law school, it’s widely acknowledged that his second wife is the one driving his presidential run. Blonde, bo-dacious, and 24 years younger than her husband, Jeri is often sniffily referred to as Thompson’s “trophy wife,” but she is clearly more than that. A one-time Senate staffer and spokesperson for the Republican National Committee, Jeri is regarded around Washington as politically shrewd and fiercely ambitious on behalf of her spouse. In the wake of Frist’s announcement, Jeri promptly contacted Republican p.r. veteran Mark Corallo about serving as her husband’s spokesman and raising his profile inside the Beltway. More recently, after lefty filmmaker Michael Moore took a public poke at Thompson, challenging him to a health care debate and criticizing his penchant for embargoed Cuban cigars, Jeri brought the issue to her hubby’s attention and urged him to call up a friend with a video camera and record his now-famous 30-second Web response. (In it, a cigar-chomping Thompson says he’s too busy to meet with Moore, but wryly warns him to watch his step lest his “buddy Castro” decide to toss him in a mental institution as he has other documentarians. “A mental institution, Michael. That’d be something you oughta think about,” intones Thompson with a meaningful arch of his brow.) Last

month, at a reception for party bigwigs and top donors that preceded the GOP gala in Richmond, Jeri diligently stood in line to meet and greet every person in attendance. “She’s been one of the key players,” confirms Tom Ingram.

But, while Jeri is clearly providing some of the fire-in-the-belly that Thompson otherwise lacks, there is much chatter about whether the brassy former operative realizes just how tough it is to be the wife of a candidate, much less of a president. The most oft-cited question mark is Jeri’s very public pursuit of Thompson. (In romance, as in politics, Thompson has as often been the hunted as the hunter.) Divorced from Sarah in 1985, Thompson was an infamous ladies’ man during his Senate days. (Former girlfriends include country singer Lorrie Morgan and GOP fund-raiser Georgette Mosbacher.) Falling under Thompson’s spell at a Fourth of July picnic in 1996, Jeri’s subsequent campaign to elbow out her competitors for his affection repeatedly made the gossip columns in Washington and New York, most memorably in April 2000, when she groused to the *New York Post*’s Page Six about “all these women” trying to move in on her man. “They just won’t leave him alone,” she fussed. “I can’t get up to get a cocktail at a party without coming back and finding some girl sitting in my chair.” Veteran journalist Margaret Carlson caught the worst flak. “She just won’t get the hint that he has a girlfriend,” Jeri charged, adding, “She calls his apartment all the time. I mean, what is the deal with these women? Don’t they have any pride? It’s the joke all over Washington that Margaret has this huge crush on him. And Fred is clearly not interested.” The situation got nasty enough that the senator himself was forced to step in, issuing a public denial of Jeri’s swipes at Carlson. Seven years later, the episode still prompts much tittering around the Beltway. But Jeri may have the last laugh: She wed her

reformed Lothario in June 2002 and is today the proud mommy of a four-year-old daughter and a nine-month-old son. And with a little luck (Fred's specialty) and a lot of hard work (her department), she just might wind up First Lady.

LOOKING BACK over the sweep of Thompson's life, you get the picture of a nice, decent guy fortunate enough to have had a string of helping hands propel him along the road to success. "Fred's charmed," says Ingram. "I mean, from Lawrence County, which was [back then] a Democratic stronghold, to his relationship with Howard Baker, to representing Marie, to finding himself playing himself in her movie, to asking the pivotal Watergate question about the tapes ..." Here, Ingram pauses and backtracks a bit to assure me: "He's very serious. He's very thorough. But he's also been at the right place at the right time with charmed results." Far from undercutting his presidential prospects, this laid-back reputation fuels the seductive story line of Thompson as a Natural Born Leader—a man who excels because of his intrinsic worthiness, not any grinding ambition. "It's part of his appeal," says Tennessee Representative John Duncan, co-chair of the "Draft Fred" committee. "I don't think people like people totally obsessed with politics." "He gives the impression of a man who has things in perspective," agrees Richard Land, head of the Southern Baptist Convention's lobbying shop. "It's been my impression that workaholics don't work out in the White House." In this way, the candidate is a lot like the man he is auditioning to replace: George W. Bush, who, perhaps more than any president in recent history, tapped the U.S. electorate's distaste for politicians who look like they're trying too hard. "You worry about some guys—Mondale, Gore, Kerry, and in some ways Bush Senior—who spent their entire life wanting to be president," says conservative activist Grover Norquist, head of Americans for Tax Reform. By contrast, he notes, "With Thompson, there's a sense of self-assuredness that Nixon didn't have and that Reagan did."

Ole Fred certainly knows this. Over the years, he has shrewdly cultivated his easy-going image, recognizing the advantages of appearing cool and in control under pressure. As his Watergate co-counsel Sam Dash once told me, "Fred knows how to look laid back when he's not. He'll tell a joke or drawl his voice slowly to make everybody feel he's not under anxiety." In recent months, as his team has quietly scrambled to lay the groundwork



for a late entry into the race, Thompson has taken care to project a *que* vibe about this whole presidential business. "One advantage you have in not, you know, having this as a lifelong ambition is that if it turns out that your calculation is wrong, it's not the end of the world," he shrugged to Fox News.

As appealing as this laid-back image may be, it should raise some red flags about whether Thompson is enough of a go-getter to go all the way. During his Senate days (and even his Watergate days), Thompson wasn't known for his vigorous work ethic. "You can tell when somebody is going to be here for the long haul" in part by the amount of scut work they put in, says a veteran Democratic Hill staffer. "And Thompson clearly was never going to be a workhorse." The senator himself has long admitted that he found legislative life tedious. "I don't like spending fourteen- and sixteen-hour days voting on 'sense of the Senate' resolutions on irrelevant matters," he once grumbled. "The rap on him always was that he was obviously bored up here," says the Hill staffer. It's not that Thompson is lazy, *per se*. Rather, he doesn't want to do what he doesn't want to do.

The big question now is to what extent that includes all the grunt work demanded of a presidential candidate. Thompson has never been much of a political animal, and, as his old friend Kirkland notes, raising money has always been particularly "distasteful" to him. Ingram predicted back in May that Thompson will only run "if he believes he can do it differently." And, sure enough, the early rumblings from Team Thompson have focused on his plans to



Thompson surrounded by admirers at a recent New Hampshire fund-raiser; promising to get to the bottom of Clinton administration fund-raising scandals in 1997; and arriving, with wife Jeri, at the Bloomberg after-party following last year's White House Correspondents' Dinner.



spend less time trudging through the snows of Iowa and New Hampshire and more time blogging, podcasting, and making other creative use of hot new technocampaign tools. The campaign is plugging the strategy as a more populist approach to politics, allowing Thompson to bypass the biased mainstream media and speak directly to voters—a virtual variation on the red pickup truck. Of course, all his competitors are making similar online efforts. They just consider it a supplement to vigorous on-the-ground campaigning, not a substitute.

As for what sort of strong leadership Thompson would supply once in office, his legislative career offers little insight. Despite his early reformist zeal, Thompson left few footprints during his time on the Hill. And his one significant leadership test, the 1997 campaign finance investigation, is generally regarded as a flop. His attempts to make the hearings less partisan by probing allegations leveled at Republicans as well as at the Clinton-Gore campaign were swiftly undermined by his party's leaders. In the end, Thompson was deemed a well-intentioned chairman shamefully "sandbagged" by both teams—a verdict that may reflect well on his even-handedness and general character, but is hardly a tribute to his leadership skills.

Happily for Thompson, his on-screen record of leadership is more successful—and vastly better known. Indeed, his four-year stint playing District Attorney Arthur Branch on "Law & Order" is arguably his number-one qualification for a presidential run. It's not merely that Thompson's character is a commanding yet avuncular figure; it's that he's an explicitly and appealingly *conservative* one, a type you don't often find on network television. Within the context of the show, Branch is a down-to-earth, common-sense conservative surrounded by twitchy liberal Manhattan types whom he can lecture about

their squeamishness on capital punishment and their ludicrously broad interpretations of the Constitution.

Authoritative but not authoritarian, paternal but not tyrannical, strong but not scary, Branch is, in many ways, the portrait of an ideal conservative. And, in the minds of countless Americans—including many inside the Beltway—Fred Thompson *is* Arthur Branch. As Bob Novak put it in a column a few months ago, "Sophisticated social conservative activists tell me they ... are coming to see [Fred] Thompson as the only conservative who can be nominated. Their appreciation of him stems not from his eight years as a U.S. senator from Tennessee but from his role as district attorney of Manhattan on *Law & Order*." One shudders to think how the unsophisticated activists decide whom to support.

REDUCTIVELY SPEAKING, Thompson stands as the Daddy Party's dream Daddy—although a Daddy of a very particular type. Forget the nurturing, "compassionate conservative" model of Bush's 2000 candidacy, which has been roundly discredited on the right. Forget, too, the blustery, "Bring it on!" swagger that W. adopted after September 11, a little-guy machismo one also sees in Rudy Giuliani and John McCain. Thompson's manliness is laconic rather than feisty, a style more John Wayne than Jimmy Cagney. "He's a big man," says Duncan. "He has a way of filling or dominating a room." And, as all of us recall from our schoolyard days, big guys like Thompson don't need to run around picking fights, talking smack, and constantly reminding us of how tough they are because, well, *look* at them.

Certainly, the Thompson talk in both cyberspace and the traditional media is a study in hero worship, with grown conservatives swooning like cheerleaders smitten over the manliness of the varsity quarterback. There is much rejoicing about the senator's growling voice, his studly cigar habit, and his physical size. My favorite bit of macho Fred-worship making its way around the Internet is a widely circulated joke about the title of the recent film *300*, in which a small troop of Spartans holds the line against the massive Persian army: "If Fred Thompson had been at Thermopylae, the movie would have been called *1*." (Reading posts like this, it's unsurprising that, according to *USA Today*, 64 percent of Thompson's supporters are male, the highest percentage for any presidential hopeful.)

Among more serious journalists, *The*

Weekly Standard's Stephen Hayes has developed a particularly intense man-crush on Thompson, penning a series of breathless valentines about the fledgling campaign, starting with a 6,000-word profile in April that gushed: "As we spoke, I was struck by the fact that Thompson didn't seem to be calibrating his answers for a presidential run. On issue after contentious issue, I got the sense from both his manner and the answer he gave me that he was just speaking extemporaneously." Nor is it only the conservative media getting high on the smell of testosterone. The creepiest musings about Thompson's "sex appeal" thus far have come from NBC's Chris Matthews, the machismo-obsessed id of the Washington media, who recently cooed: "Can you smell the English leather on this guy, the Aqua Velva, the sort of mature man's shaving cream, or whatever, you know, after he shaved? Do you smell that sort of—a little bit of cigar smoke?"

More adolescent members of the chattering class, meanwhile, have taken to drooling over Mrs. Thompson, whose penchant for low-cut, form-fitting ensembles already has buttoned-down political types buzzing. MSNBC's Joe Scarborough recently created a stir when he and guest analyst Craig Crawford of *Congressional Quarterly* indulged in some lascivious speculation about whether the curvaceous Jeri's fitness regime makes use of a stripper's pole. Tacky as the comments were, they were essentially envious. "That's what a Hollywood career will do for you!" enthused Crawford.

Inevitably, with his official entry into the race, Thompson will lose a little luster as he morphs from above-the-fray candidate-in-waiting to flesh-and-blood (not to mention bloodied) combatant. Still, the lure of his manly charms should not be underestimated. As Bob Davis, a former Thompson staffer now chairing the Tennessee Republican Party, puts it, "When you put your children to bed at night, and you're laying your head down on your pillow, this is a guy people would trust to protect their backside no matter what happened."

This is an especially potent lure with the Republican Party feeling so lost and fragile. Just last month, former Thompson sweetie Lorrie Morgan predicted to the *Sunday Times* of London that Thompson will prove irresistible to women voters: "He's majestic. He's a soft, safe place to be, and that could be Fred's ticket. Women love a soft place to lay and a strong pair of hands to hold us." Team Thompson is betting that, these days, the same may be said of the entire GOP. ♦

Final Resolution

K Street cashes in on the 1915 Armenian genocide.

MICHAEL CROWLEY

AS A RISING St. Louis politician in the mid-1970s, Richard Gephardt was among a dynamic group of aldermen dubbed “The Young Turks.” So perhaps it’s not surprising that, 30 years later, the former Democratic minority leader of the House of Representatives has aged into an Old Turk. This spring, Gephardt has been busy promoting his new favorite cause—not universal health care or Iraq, but the Republic of Turkey, which now pays his lobbying firm, DLA Piper, \$100,000 per month for his services. Thus far, Gephardt’s achievements have included arranging high-level meetings for Turkish dignitaries, among them one between members of the Turkish parliament and House Democratic leaders James Clyburn and Rahm Emanuel; helping Turkey’s U.S. ambassador win an audience with a skeptical Nancy Pelosi; and, finally, circulating a slim paperback volume, titled “An Appeal to Reason,” that denies the existence of the Armenian genocide of 1915.

Few people would place the Armenian genocide on their top ten—or even top 1,000—list of the day’s pressing issues. In fact, many Americans would likely be at a loss to explain who or what the Armenians are, much less what happened to them 90 years

ago. Not so in Washington. For the past several years, U.S. representatives, lobbyists, and foreign emissaries have been locked in a vicious struggle over a resolution in Congress that would officially deem as genocide the massacre of up to 1.5 million ethnic Armenians in the Ottoman Empire. The Turkish government has fought this effort with the zeal of Atatürk—enlisting a multimillion-dollar brigade of former congressmen and slick flacks, as well as a coterie of American Jews surprisingly willing to downplay talk of genocide. But the Armenian-American community has impressive political clout—enough that a majority of House members have now co-sponsored the resolution. And that means a ferocious final showdown is looming, one so charged that this arcane historical dispute could even interfere with the war in Iraq.

Even more striking than the historic Turkish-Armenian hatred festering in the halls of Congress, however, is the way Washington’s political elites are cashing in on it. Take Gephardt. While the Turks and Armenians have a long historical memory, Gephardt has an exceedingly short one. A few years ago, he was a working-class populist who cast himself as a tribune of the underdog—including the Armenians. Back in 1998,



Gephardt attended a memorial event hosted by the Armenian National Committee of America at which, according to a spokeswoman for the group, “he spoke about the importance of recognizing the genocide.” Two years later, Gephardt was one of three House Democrats who co-signed a letter to then–House Speaker Dennis Hastert urging Hastert to schedule an immediate vote on a genocide resolution. “We implore you,” the letter read, arguing that Armenian-Americans “have waited long enough for Congress to recognize the horrible genocide.” Today, few people are doing more than Gephardt to ensure that the genocide bill goes nowhere.

It’s one thing to flip-flop on, say, tax cuts or asbestos reform. But, when it comes to genocide, you would hope for high principle to carry the day. In Washington, however, the Armenian genocide industry is in full bloom. And Dick Gephardt’s shilling isn’t even the half of it.

REPRESENTATIVE ADAM SCHIFF may be the first person elected to Congress through the politics of the Armenian genocide. Back in 2000, Schiff was a California state senator challenging Republican incumbent Jim Rogan. The Burbank-area district is home to 75,000 Armenian-Americans, or about 10 percent of the population, many of them desperate to see Washington brand the Turks as genocide artists. In September of that year, Hastert paid a campaign visit to the district and delighted Armenians by vowing to call a vote on a genocide resolution (which Rogan had co-sponsored). It’s possible Hastert was stirred by questions of historical guilt. But, as one GOP campaign official admitted, the vote would also happen to offer Rogan “a very tangible debating point” against Schiff.

Mass murder may be strange fodder for a debating point. But in America’s tight-knit Armenian community, it can seem that people want to debate little else. Most Armenian-Americans are descended from survivors of the slaughter and grew up listening to stories about how the Turks, suspecting the Orthodox Christian Armenians of collaborating with their fellow Orthodox Christian Russians during World War I, led their grandparents on death marches, massacred entire villages, and, in one signature tactic, nailed horseshoes to their victims’ feet. (The “horseshoe master of Bashkale,” the Ottoman provincial governor Jevdet Bey was called.) Turkey’s refusal to acknowledge the guilt of their Ottoman forbears infuriates Armenians, leaving them feel-

ing cheated of the sacred status awarded to Jewish Holocaust survivors.

It wasn’t until the mid-1970s that the Armenian community, which today numbers up to 1.4 million, grew active enough to press its case in Washington. At first, few people here took them seriously. After a fruitless House debate about the genocide in 1985, for instance, one Republican scoffed at “the most mischief-making piece of legislation in all my experience in Congress.” But the cause gained traction in the 1990s, thanks largely to then–Senate Republican leader Bob Dole, who never forgot the Armenian doctor who treated him after he was severely wounded in World War II.

With Rogan’s seat on the line in 2000, a first-ever vote on a genocide resolution seemed a sure thing—that is, until the Turkish government mobilized its lobbying team, led by former Republican House Speaker Bob Livingston, its \$700,000 man in the field. In a state of affairs one furious Republican described to *Roll Call* as “ridiculous,” Livingston found himself battling a measure meant to protect the very House majority he had briefly presided over just two years earlier. A Turkish threat to cancel military contracts, including a \$4.5 billion helicopter deal with a Fort Worth–based company, ensured the opposition of powerful Texas Republicans like Tom DeLay. Hastert was cornered. But he found cover in Bill Clinton, who warned that Turkey might shut down its American-run Incirlik air base, from which the United States patrolled the no-fly zone over northern Iraq. Citing Clinton’s objections, Hastert pulled the bill. Rogan tried to accuse Clinton of playing politics, and someone sent out a last-minute mailer featuring Schiff next to a Turkish flag. But it wasn’t enough, and Schiff beat Rogan by nine percentage points.

The episode—by showcasing crass partisan politics, expensive access-peddling, sleazy political attacks, corporate lucre, and the specter of geostrategic calamity—opened a new era in Armenian genocide politics. “That was sort of the first introduction to how aggressive the Turks are,” says one former Republican congressman.

For the next six years, Turkish lobbying mostly kept the Armenian genocide resolution off the Washington agenda. Then came a calamity for the Turks: the 2006 midterm elections. Suddenly, Democrats, who had always been more supportive than Republicans of the Armenian cause, were in power. Even worse, California Democrats with Armenian-American constituencies ascended to senior leadership positions. Among them was the new House Speaker Nancy Pelosi, who,

with thousands of Armenian-Americans in her Bay Area district, has spoken passionately on the subject. “This Armenian genocide is a challenge to the conscience of our country and the conscience of the world. We will not rest until we have recognition of it,” she declared in 2001. Likewise, one of Pelosi’s closest confidantes, California Democrat Anna Eshoo, is the granddaughter of an Armenian who represents the notion that her grandma’s memories of genocide amount to “a fairy tale.” And even Democratic Party chairman Howard Dean, not previously known for his interest in Transcaucasian affairs, paid a recent visit to the Armenian capital of Yerevan and toured a national genocide memorial, where he declared that “[t]he facts are that a genocide occurred.”

It’s little wonder, then, that proponents of the genocide resolution like Adam Schiff have never been so optimistic. “This is the best opportunity we’ve had for a decade,” the tanned and mild-mannered Harvard Law graduate told me in his Capitol Hill office recently. Which is also why, warns Schiff, “we’re seeing the strongest pushback from the Turkish lobby that I’ve ever seen.”

A FEW WEEKS AGO, I called the Turkish Embassy to request an interview. A couple of days later, I heard back—not from the embassy, but from an American p.r. consultant employed by the Turks. He suggested we meet the next day at a Starbucks. I found him in a corner behind a glowing white iBook. He had long slicked-back hair, a seersucker suit, and a blinking Bluetooth earpiece, and looked ready for a power lunch with the sharky agent Ari Gold from “Entourage.” He informed me our conversation would be off the record, before launching his well-honed argument against the genocide resolution.

My Starbucks contact wasn’t the only Turkish emissary who prefers to operate in the shadows. Another D.C.-based operative, who spoke to me from a hotel room in Ankara, where he was chaperoning a very prominent Democrat, also insisted that the substance of our conversation be off the record. He asked that I not even reveal his identity. “I don’t have a dog in this hunt,” he insisted, despite his place on the Turkish payroll. “My only hunt is for *truth*.”

The truth, as the Turks see it, is simple: There was no genocide. The Armenian death toll is exaggerated, and most died from exposure or rogue marauders during mass relocations. (One Turkish activist even cheerily assured me that, after the relocations, “everyone was invited

back.”) The Turks say that the G-word implies an intent that can’t be proved. This stance is more than just a matter of fierce national pride. The Turks are terrified at the prospect of huge financial and territorial reparations for the Armenians. (“[C]ash,” drools one Armenian nationalist blogger, “lots of cash.”)

So, instead of doling out lots of cash to the Armenians, Turkey showers Washington with political operators more than happy to argue their case—for the right price. Few niches of Washington lobbying are as lucrative as the foreign racket, which explains why more than 1,800 lobbyists are currently registered to represent more than 660 overseas clients. Thus the Turks have found no shortage of willing pitchmen. Turkey currently maintains expensive contracts with at least four different Washington lobbying and p.r. firms. The result is that unsuspecting congressmen and staffers frequently find themselves badgered by well-heeled Turkish emissaries. Not long ago, one lobbyist invited a senior congressional aide to dinner at his suburban mansion. When he arrived, the aide was surprised to find himself surrounded by Turks keenly interested in his views on the genocide bill. (This time, the hard sell backfired; the staffer indignantly retorted that he believed a genocide had taken place, causing the lobbyist’s face to go “ashen.”)

The Turks insist that they need these expensive fixers and aggressive tactics to counter America’s relentless Armenian grassroots lobby. In addition to Gephardt (who did not respond to a request for comment), Turkey contracts the services of David Mercer, a connected Democratic fund-raiser and protégé of the late Democratic Party chairman Ron Brown. The Turks also pay \$50,000 monthly to the Glover Park Group, a powerhouse Democratic firm stocked with connected former Clinton White House aides Joe Lockhart and Joel Johnson, for p.r. services. That work included advice on shaping an April full-page *New York Times* advertisement, which called for a new historical commission (which the Armenians call a sham) and urged Washington to “support efforts to examine history, not legislate it.”

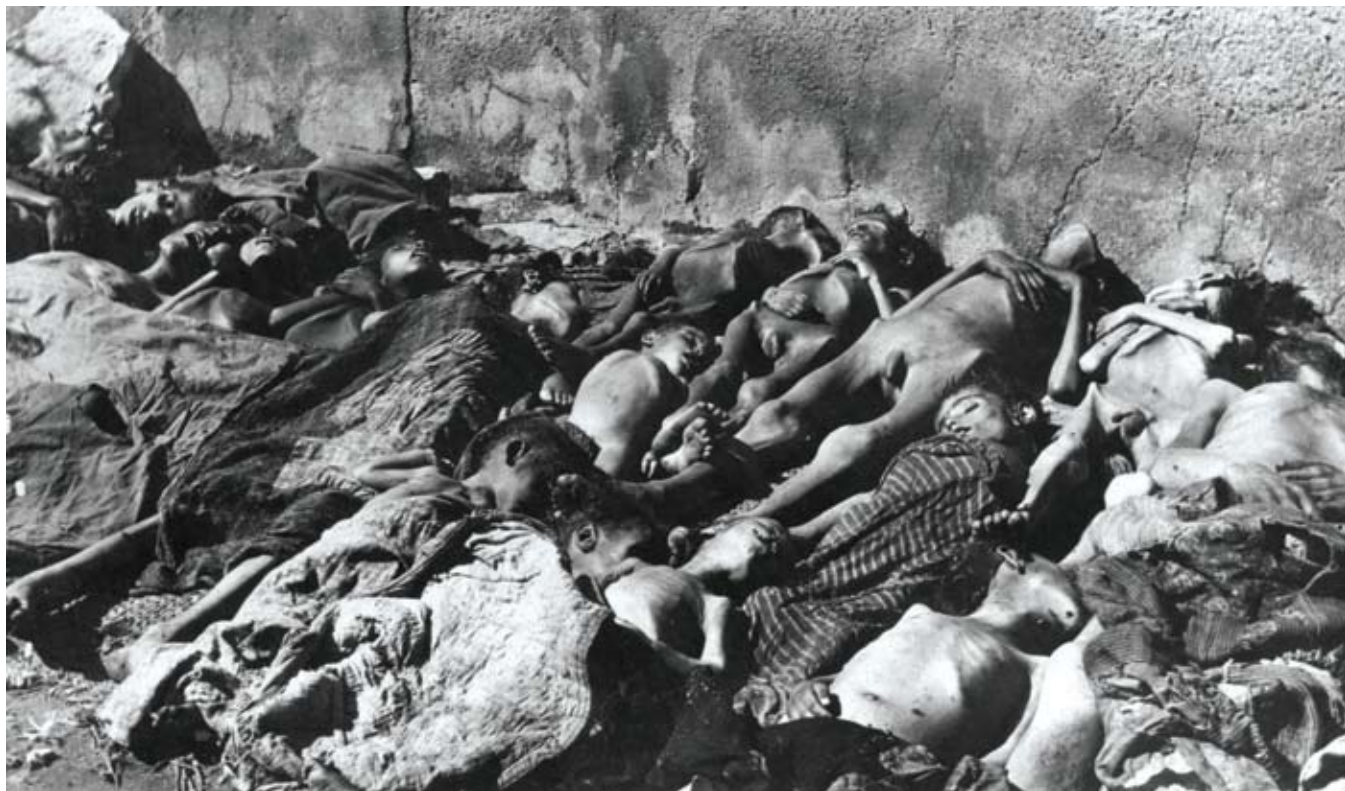
But the kingpin of Turkish advocacy is Bob Livingston, whose lobbying firm, the Livingston Group, has hauled in roughly \$13 million in Turkish lucre since 2000. Livingston, best remembered for his comically brief stint as House Speaker—elect at the height of the Clinton impeachment debacle (before he tearfully admitted his own extramarital affair and resigned from Congress in disgrace), has lobbied on a range of issues dear to Turkey’s heart. But it’s his tireless fight against the genocide resolution that makes him a hero in

Ankara. Back in 2000, Livingston’s team personally contacted 141 different members of Congress in the five-week run-up to the aborted vote. And on October 19, the day the vote was canceled, Livingston met personally with Hastert to ensure its demise. Mission accomplished.

Likewise, when Adam Schiff tried to pass a symbolic House amendment related to the genocide in 2004, Livingston’s firm again sprang into action. As detailed in a recent Public Citizen study of foreign-agent public lobbying records, the firm immediately barraged GOP leaders like DeLay and Hastert with e-mails and faxes. Its team also badgered everyone from top House aides to officials at the National Security Council, the State Department, the Pentagon, and Vice President Dick Cheney’s office. Livingston’s office even called the House parliamentarian, apparently hoping to throw a procedural wrench into Schiff’s gears. Against this onslaught, Schiff’s puny amendment didn’t stand a chance. For its work in 2004, Turkey paid the Livingston Group \$1.8 million.

But, while Bob Livingston may be the winner of the Turkish lobbying lottery, the prize for biggest hypocrite is still up for grabs. Dick Gephardt isn’t the only lobbyist who has flip-flopped on the genocide (though he gets points for having his firm distribute “An Appeal to Reason,” the

Armenian children massacred in Turkey during World War I.



ARMINT. WEGNER/GETTY IMAGES

genocide-denying pamphlet that offers a strangely postmodern assessment of the imprecise nature of history—a convenient stance if your forbears committed mass murder—including a quotation attributed to philosopher Karl Popper, contending that “our knowledge is always incomplete”). There’s also former Democratic representative Steve Solarz of New York. Solarz was one of the first backers of a genocide resolution way back in 1975. By 2000, he was working with Livingston to defeat it, raking in \$400,000 for his efforts.

It’s not just the lobbyists whose stance on the genocide seems suspiciously malleable, however. Seven House members who have co-sponsored the resolution this year have already changed their positions. One is Louisiana Republican Bobby Jindal, who on January 31 added his name to the co-sponsor list—but then withdrew his support the same day. Lobbying records show that, also on January 31, Livingston called Jindal and spoke to him about the resolution. (Jindal’s office didn’t respond to requests for comment.) Others have seemingly positioned themselves less on the basis of historical or moral considerations than on good old pork politics. Günay Evinch, a representative of the Assembly of Turkish American Associations, recalls how one House resolution supporter privately explained his position: “I don’t believe it was technically genocide,” the congressman said. “But I need highway funds.”

Earning a special commendation for dubious behavior is Washington’s Jewish-American lobby. In one of this tale’s strangest twists, the Turks have convinced prominent Jewish groups, not typically indifferent to charges of genocide, to mute their opinions. In February, Turkey’s foreign minister convened a meeting at a Washington hotel with more than a dozen leaders of major Jewish groups. Most prominent groups now take no official position on the resolution, including B’nai B’rith, the American Israel Public Affairs Committee (AIPAC), and the American Jewish Committee. The issue “belongs to historians and not a resolution in Congress,” explains Anti-Defamation League director Abe Foxman, who outright opposes the resolution. “It will resolve nothing.” But it’s also clear that Turkey’s status as Israel’s lone Muslim ally counts for a lot, too. “I think a lot of Israelis agree,” Foxman told me. (One person involved in the fight offers a more cynical explanation: “Jewish groups don’t want to give up their ownership of the term ‘genocide.’”)

The Turks have also conspicuously hired some lobbyists with strong Jewish ties. Their payroll includes a Washington

firm called Southfive Strategies, which bills itself as “a Washington D.C. consulting boutique with access to the White House, congressional leadership, and influential media organizations.” Southfive is run by Jason Epstein, a former Capitol Hill lobbyist for B’nai B’rith, and Lenny Ben-David, an Israeli-born former deputy chief of mission at Israel’s Washington embassy and a longtime AIPAC staffer whose previous firm, IsraelConsult, also worked for Turkey.

Some Jewish leaders, to be sure, find such realpolitik less than tasteful. “It is obscene for us, of all people, to quibble about definitions,” one prominent California rabbi recently told the *Jewish Journal*. But, when I asked one Jewish-American aligned with the Turks whether he truly believes that genocide didn’t take place, he stammered that “the verdict” is not in, before adding, “If you’re asking do I sleep at night, I do.”

STRANGE AS IT may be to find a World War I massacre on the 2007 Washington agenda, even more bizarre is the possibility that it may precipitate an international crisis. At one March House subcommittee hearing, Adam Schiff got a rare opportunity to grill Secretary of State Condoleezza Rice. Angry over the Bush administration’s opposition to the Armenian genocide resolution, Schiff pressed Rice: “Is there any doubt in your mind that the murder of a million and a half Armenians between 1915 and 1923 constituted genocide?” Schiff even pointedly appealed to Rice’s background in “academia.” But the ever-disciplined Rice wouldn’t bite. “Congressman, I come out of academia. But I’m secretary of state now. And I think that the best way to have this proceed is for . . . the Turks and the Armenians to come to their own terms about this.”

What Rice didn’t say is that the Turks, should their lobbying firepower fail to stop the genocide bill from moving forward, have an even mightier weapon to brandish: the war in Iraq. As they did in 2000, the Turks are hinting they will shut down Incirlik, a far more dire threat now that Incirlik supplies U.S. forces occupying Iraq. Administration officials also fear Turkey might close the Habur Gate, a border point through which U.S. supplies flow into northern Iraq. In an April letter to congressional leaders, Rice and Defense Secretary Robert Gates bluntly warned that a House resolution “could harm American troops in the field [and] constrain our ability to supply our troops in Iraq and Afghanistan.”

That prospect may even be dragging

U.S. troops themselves into the Turkish counteroffensive. Or so says Frank Pallone, a New Jersey Democrat and lead co-sponsor of the genocide resolution. “[The Turks] have had American soldiers call members of Congress and say, ‘Don’t vote for this, because I am going to be threatened in Iraq,’” Pallone says. (A Turkish embassy spokesman denied knowledge of this.)

The Turks also warn that branding them as Hitleresque is sure to enrage Turkish nationalists and heighten tensions on the closed Turkish-Armenian border. If the resolution is passed, “it’s going to be a heavy, heavy blow,” says Murat Lutem, a Turkish embassy official. “The upheaval will be so significant that the government won’t be able to say, ‘Let it be.’” That’s one reason some Turkish newspapers, with their sudden interest in Capitol Hill politics, have recently read like Ottoman versions of *Roll Call*. The Turks are especially fixated on the Armenian ally Nancy Pelosi, whom one Turkish columnist disdained as “an uncompromising iron lady.”

Faced with such intense Turkish opposition, however, Pelosi may prove less iron lady than diplomat. Democratic aides say the potential for geostrategic mayhem weighs heavily on her—never mind her 2005 declaration that “Turkey’s strategic location is not a license to kill.” And after she rebuffed earlier meeting requests from such Turkish dignitaries as Foreign Minister Abdullah Gul, her recent willingness to meet the Turkish ambassador may be revealing.

Still, senior Democratic aides say Pelosi could press ahead—possibly in early fall. Meanwhile, a Senate counterpart to the House bill already has 30 co-sponsors, including Harry Reid and Hillary Clinton. And so Dick Gephardt has his work cut out for him. But not without a growing toll on his reputation. Even in modern Washington, where it’s taken for granted that everyone has their price, flip-flopping on genocide has the ability to shock. One person dismayed by Gephardt’s reversal is Anna Eshoo. Eshoo says she was recently in an airport with former Connecticut Representative Sam Gejdenson, one of the three co-signers on Gephardt’s 2000 pro-resolution letter to Hastert, when the pair spotted Gephardt. “Look who’s here!” Eshoo mockingly exclaimed. “Hey Dick, the Kurds are looking for you!” Gejdenson sardonically chimed in—referring to another foe of Gephardt’s Turkish client. Eshoo says it was just teasing among old friends. But, she pointedly adds of the former House Democratic leader: “Clearly this is not a principle of his. This is business.” ♦

Red Dawn

Musharraf's enemies close in.

PETER BERGEN

TWO MONTHS AGO, on a rainy afternoon in Islamabad, I paid a visit to the Red Mosque. Its militant imam, Abdul Rashid Ghazi, was suddenly a force to be reckoned with in Pakistani politics, his students having recently undertaken a series of violent protests aimed at showing their contempt for the government of President Pervez Musharraf. The proximate cause of their anger was the demolition of several mosques in Islamabad that authorities said had been built without the required authorizations, but their agenda had broader elements, including a demand that Musharraf implement sharia law. Starting in January, Ghazi's followers occupied a municipal library adjoining the Red Mosque. Meanwhile, masked students armed with batons visited video store owners and told them to close their businesses, while others destroyed CDs.

Heavily bearded men and younger boys were milling about the grounds when I arrived. One of them ushered me through a courtyard and into a walled area guarded by a man wielding an AK-47. Finally, after some waiting, I was taken to see Ghazi, who was finishing typing his just-delivered Friday sermon on a computer in Urdu. He greeted me with a broad smile, his face framed by professorial, gold-rimmed glasses, a bushy salt-and-pepper beard, and a reddish knit cap. In excellent English, he told me about his views on women ("Females should be educated," he said, explaining why the two madrassas he managed include, somewhat unusually, a large number of female students) and his 1998 meeting with Osama bin Laden in Afghanistan (the two men chatted—mostly in English—for about an hour). I asked Ghazi what would happen if the government tried to use force to subdue his protesting students. "We will resist," he told me, with a smile.

AND THEY DID. Ghazi was killed this week—along with dozens of his supporters—when Pakistani troops stormed his mosque after a weeklong siege. The soldiers had surrounded the compound earlier this month after Ghazi's followers committed their most brazen act yet: kidnapping six Chinese women in Islamabad from what they said was a brothel. The women were only released after the Chinese ambassador personally intervened with the government, which in turn pressured Ghazi to free the abducted citizens of one of Pakistan's closest allies. The episode seems to have been the final straw for the Musharraf government, which dispatched troops to the

Red Mosque a week later. The days that followed saw a bizarre scene unfold: a Pakistani version of what might have happened if David Koresh had set up shop blocks from Capitol Hill—the Red Mosque is just a few minutes drive from Pakistan's parliament—with droves of armed acolytes in tow.

All this mayhem was quite out of character for Islamabad, which has a well-deserved reputation as one of the most boring cities in South Asia. Its regimented neighborhoods—with anodyne names like F6 and E11—are filled with comfortable villas, home to diplomats and senior government officials who are attended by fleets of servants. Their gardens are shaded by jasmine trees and generously scented with the wild marijuana that grows throughout the city. Nightlife is pretty much non-existent beyond L'Atmosphere, a discreet French restaurant that serves foie gras and decent red wine. Built in the early '60s to serve as Pakistan's capital, Islamabad's broad tree-lined avenues are worlds away from Karachi, the seething, barely governable mega-city of 14 million to the south, or Peshawar to the west, which is ruled by a coalition of militant Islamist parties known as the MMA.

These days, of course, Islamabad doesn't seem quite so dull. But the siege of the Red Mosque is only part of the reason. Beyond the threat from Islamists, Musharraf is also facing a constitutional confrontation with the Supreme Court's chief justice, Iftikhar Chaudhry, and the looming prospect of a challenge from his old nemesis Benazir Bhutto, the former prime minister who fled the country a decade ago and is now widely expected to come home to compete in upcoming parliamentary elections. As a result, even before the Red Mosque showdown, change was already in the air in this most staid of capital cities. What no one seems to know, however, is what form that change will take. Are these the last days of a dying regime? Or the prelude to a crackdown that could snuff out the hopes of Pakistani democrats for years to come?

IN MARCH, Musharraf made what would turn out to be a spectacular mistake—suspending Chief Justice Chaudhry, ostensibly because he was abusing his office but more likely because he had shown refreshing independence from the government, for instance by looking into the fates of some of the hundreds of "disappeared" Pakistanis who are widely believed to have been sucked into the maw of the ISI, the powerful military



intelligence agency. Such independence could not have pleased Musharraf, given that the Supreme Court might eventually have to rule on a matter rather dear to the general's heart: the vexed question of whether he can continue to serve as both president of the country and head of its military—which, at least in theory, Pakistan's constitution forbids.

Musharraf came to power in 1999 on a surge of popular goodwill following a bloodless military coup, but, over the last five years, he has managed to badly alienate much of his country's population. His first blunder was to rig a 2002 election so that religious parties did better at the polls than they had ever done in Pakistani history. Then he reneged on his promise to doff his uniform and surrender his dual role as president and chief of the military. He also presided over an unpopular, and ultimately unsuccessful, war against local militants in the tribal region of Waziristan. Meanwhile, he aligned himself so closely with the United States that Pakistanis began referring to him as Busharraf. Plus, as we know from our own political system, simple fatigue with the incumbent will generally set in after eight years of rule.

Almost overnight, the fired chief justice became a hero to all sorts of disparate groups fed up with Musharraf. The first wave of protests in support of Chaudhry was undertaken by the most unlikely of demonstrators: lawyers wearing black suits, pressed white shirts, and black ties. When they stormed the entrance to the Supreme Court building, it made for great television. In the days when Pakistan had only government-controlled TV, such footage never would have seen the light of day. But, in recent years, a number of private channels have sprung up, most prominently GEO Television.

And that's where the government made another mistake. A week into the crisis, on March 16, GEO was carrying live pictures of demonstrations around the Supreme Court. Hamid Mir, GEO's Islamabad bureau chief, told me he had set up cameras on the roof of his office: "We were showing police firing rubber bullets on the protesters and tear gas—the first time that the Pakistani people were seeing these scenes live." About an hour later, policemen armed with guns and *lathi* sticks started gathering outside the GEO office, then entered the building's reception area and beat the receptionist. Mir says, "We retreated into our newsroom area"—rows of computer screens and televisions—"and made a human chain, including with our female col-

leagues." Pakistani police are reluctant to attack women, so they stood down, but not before they had trashed an adjoining news organization's office. GEO naturally filmed much of this and carried it live. Within hours, Musharraf appeared on GEO to apologize. Still, Mir says the government has kept up the pressure not to report on the chief justice saga, going so far as to block his station's signal in early June and force the channel off the air for days.

Meanwhile, Chaudhry has been traveling to rallies around the country, where he is routinely greeted by boisterous crowds of tens of thousands of Pakistanis from all walks of life. Their demands are simple: that the government uphold the independence of the judiciary and that Musharraf give up his dual status as president and military chief. This emergence of a grassroots, democratic movement suggests that wide swaths of the public want Pakistan to emulate neighboring India—a democratic state that does not constantly revert to military rule, as Pakistan has done four times since the two countries gained independence from the British in 1947.

UNFORTUNATELY for those who want a return to genuine civilian rule, Musharraf appears to have something of a Messiah complex, making him loath to relinquish any of his power. Readers of his 2006 autobiography, *In the Line of Fire*, were treated to an ode to the author's sagacity and leadership ability that was striking even by the self-serving conventions of political memoir. Perhaps it is not surprising that a dictator would convince himself that only he can save his country. What is surprising is that Musharraf has managed to convince others as well. And no one has fallen for this hoax harder than President Bush. It is a central plank of the administration's foreign policy that democratization is the best way to counter militant Islamists. Yet Bush has been strikingly silent on the need for Musharraf to loosen his grip on Pakistan, the world's second-largest Muslim country. Contra the widespread myth that democracy would merely empower Pakistan's Islamists, it would likely damage the MMA, the coalition of religious parties that has never succeeded in winning more than 12 percent of the vote. (And that was in the 2002 election, which Musharraf fixed to disadvantage the two main secular parties.) In fact, polling indicates that the MMA will garner around 5 percent of ballots in the upcoming election. The Islamist militants

of the Red Mosque, in other words, may be feisty enough to weaken Musharraf politically through their protests and violence, but they are not nearly numerous enough to run the country.

So who might benefit from the upcoming vote, if not the Islamists? That's where Benazir Bhutto comes in. For months, Islamabad was atwitter about the nature of the deal Musharraf and Bhutto were widely presumed to be cutting. The rumored agreement would allow Bhutto to return to Pakistan to campaign for her party—although not to run for prime minister, as she has already served the two terms allowable under the present constitution—while Musharraf would drop the corruption charges that he used to chase her out of the country in the first place. Bhutto would then play the key role in selecting the next prime minister. For his part, Musharraf would retain the presidency.

That deal now appears to be in jeopardy after riots in Karachi in May, where members of a party allied with Musharraf killed a number of Bhutto's supporters. Musharraf has also recently reiterated that Bhutto is banned from Pakistan. However, that won't necessarily stop Bhutto from returning to her homeland, since she probably wins no matter what Musharraf does. If he throws her in jail, he turns her into a martyr and summons potent memories of the military dictator Muhammad Zia's imprisonment and execution of her popular father, Zulfikar Ali Bhutto. If he does nothing when Bhutto returns, she will be greeted as a heroine by the millions who will attend her political rallies.

And so the coming months will likely present Musharraf with a choice. He can assert his authority as a rigid autocrat. Or he can agree to some sort of power-sharing arrangement with Bhutto and her allies—a deal that would cement an alliance between the secular political parties and the military based on a liberal, moderate vision of Pakistan's future, but one that would effectively end his one-man rule. Hassan Abbas, a former senior Pakistani police official now at Harvard's Kennedy School, is not optimistic that Musharraf will do the right thing. "All the signs are that he will rig the elections," he predicts. Whatever choice he makes, the Pakistani leader's grasp on power has never seemed so tenuous. Abdul Rashid Ghazi may be dead, but Musharraf's problems are just beginning. ♦

Peter Bergen is a Schwartz senior fellow at the New America Foundation and the author of THE OSAMA BIN LADEN I KNOW.



Experience the beauty
of science at work.

Lands and waters today are being altered in ways that threaten our natural world and way of life. But there is hope. When you support The Nature Conservancy, you're advancing innovative, science-based strategies that protect Earth's beautiful places. So far, we've preserved 117 million acres. With your support, that number will keep growing. **Visit nature.org or call 1-888-2 JOIN TNC.**

Lake Superior, Minnesota North Shore © Mark Godfrey

This message is made possible by the generous support of this publication.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED



Books & the Arts

STANLEY KAUFFMANN ON FILMS DIFFERING SOCIETIES

A DISTRIBUTOR CALLED Rialto Pictures has become a source of discomfort. Rialto, founded in 1997, specializes in re-issues of older films, mostly foreign but also domestic, in new prints and with new subtitles. *Mafioso*, *Umberto D.*, and *The Fallen Idol* are only three of the several dozen they have brought back. But to see again a film that one long ago admired and now dislikes is

somewhat upsetting. Oddly enough, the upset is even more acute when one's opinion rises on a revisit.

Of course one cannot be surprised that the opinion of 1967 was not the opinion of 2007, but it is uncomfortable to realize that the earlier opinion has been on mental file for decades. Then a grim fact looms large: absolutely every opinion of earlier works that is stored in the noggin does not truly represent what the latter-day person thinks.

This itchy realization applies to all arts. If someone asked me what I think of *Anna Karenina*, I could respond volubly, but I would, in a sense, be fibbing. Forty years have passed since I last read the book, and all I am now doing is recalling memories. I, the present writer, don't know what I think of *Anna Karenina*. All of us carry in our minds hundreds and hundred of opinions about art that are not, in one degree or another, those of the persons we have become.

Naturally the problem is insoluble: one cannot revisit every work of art in one's past every year. But when this problem is highlighted by a film that is re-issued, the reviewer has to face a cold fact about traversal through the years: the coursing of time has much more length than breadth. We move on and leave behind us much of what is present at any one moment.

The latest from Rialto is *Le Doulos*, directed by Jean-Pierre Melville, who adapted his screenplay from a novel by Pierre Lesou. (*Doulos* means hat, but in the slang of the day it signified stool pigeon.) Rialto is fond of Melville: last year it gave us *Army of Shadows*, a drama about Occupied France. *Le Doulos* (1962) nestles amid Melville's *policier* films. Those crime pictures are only part of his range, but they are so keenly original, so seductively confident, that they have done as much for his luster as any of his films.

The story of *Le Doulos* is no great shakes. It deals with a group of Paris crooks and the ultimate discovery that one of them is an informer. The account is jostled along by several sharp surprises, but what really clutches the viewer—and very quickly, too—is the seriousness of the film, despite its tricky plot.

These are more than a gang of criminals. Melville makes us believe that these men and their women inhabit a society, secret and enclosed and complete, that exists within society at large. Though these men sometimes shoot one another, they are all members of a family. This idea is not a Melville monopoly: other directors have used it. But Melville seems,

more persuasively than most, to collude with us. He assumes that for 108 minutes, we will hang our personal standards in the closet and slink with him through these dark alleys. Right from the opening sequence, in which a man walks toward us through a long tunnel—the shot hints at underworld as habitat—we are in the hands of a director who knows precisely what he wants and how to get it.

This assurance is the most enticing aspect of the film. The story is engaging enough, though the ending has a sniff of facile solutions. But Melville is concerned less with that story than with its ambience. It was my realization of this—the style as the work itself—that shook me when I saw *Le Doulos* again. When I first saw the film, I was bothered by the story. What I once thought about this picture is now Rialto-revised.

The two leading roles are played by Serge Reggiani, who was Simone Signoret's doomed lover in *Casque D'Or*, and Jean-Paul Belmondo, who at that time seemed the casual Atlas supporting French film on his shoulders. (Belmondo had already made *Breathless*; the closing sequence in *Le Doulos* reminds us of that film.) Reggiani was a quiet actor with a resonant effect. Belmondo was a sexy amoral prince who seems to be visiting this story and is taking considerable part in it just because he happens to be there.

At any rate, Rialto, which has now re-issued three Melville films, has given his reputation new shine and has to a degree embarrassed me to myself, because of the opinion of this film that I have been holding for so long. Still, I hope for more such embarrassments.

GOLDEN DOOR—its title taken from the Emma Lazarus poem inscribed on the pedestal of the Statue of Liberty—is a small film that addresses a gigantic subject without



breathing hard. Multiple pictures have dealt with European immigrants to America, some of which have contrasted immigrants' past lives with the homeland, but few deal with the transatlantic crossing in "immigrant" freighters. The best work I know on this subject is Jan Troell's *The Emigrants. Golden Door*, from Italy, is a lesser work, but it is brimful of empathy. Emanuele Crialese, the writer-director, makes us feel the departure from Italy, the change of worlds.

Golden Door is set early in the twentieth century. It opens with two men—a father and his grown son—climbing a steep, barren mountain, each holding a large stone in his mouth. At the top is a cross where the men kneel and pray. The father, around forty, begs for a sign from heaven about what to do with his life. Evidently what they have just done—clawing up this mountain with a stone between the teeth—was the price paid for the chance to pray here. They get what they take to be the sign: they and their family will move to America.

The decision is not taken joyfully by the family. But the father, a widower, is in charge of this tiny kingdom, so his mother and his two sons (one of whom is mute) consent. The ship in which they sail is a huge animal cage, yet with some twists of character surprise. Also on board, in steerage class with the multitude, is a cultivated young Englishwoman who hovers around the central family. She soon figures in the proceedings.

The ship arrives at Ellis Island. (Which is more than one can say of the ship that brings the Corleone family to New York in *The Godfather: Part II*—that ship passes the Statue of Liberty going the wrong way.) We expect stockyard treatment by officials of the horde of immigrants, but Crialese underscores the considerable attention that is paid to each of them.

Not many of the incidents in *Golden Door* are in themselves telling: they are mostly instances in a huge history. The film, at its best, reminds us that passages like these were manifold for many years. One moment in the film will linger: as the father (grittily played by Vincenzo Amato) enters New York, he remembers himself and his son scrabbling up that barren mountain with stones in their mouths, seeking a sign—the sign that would lead him to this Manhattan.

IN *BETWEEN DAYS* is, thematically, a descendant of *Golden Door*: it deals with some immigrants to this continent after more than a century of immigration. It was directed by a Korean

woman named So Yong Kim, who wrote it with her husband, who serves as producer. The story, she says, is based on her childhood experience of moving from South Korea to Los Angeles in the 1980s. However, her film is set in wintry Toronto in the present day, when the details of their immigration are long past for the people we see.

The focus is on a Korean high school girl named Aimie and her doings with her friends, almost all Korean—hanging out, partying, experimenting sexually, singing karaoke. But the director's concern (a bit like Melville's choice) is less the story than the style in which it is presented. Visually it is generally dark, relieved sometimes by neon and other lights, but this is far from a somber story. The darkness is presumably to convey the dark whorl of strangeness within which

Aimie lives. Occasionally the screen simply blacks out for a moment, as even stronger proof of this mood.

Once again the style is the film's theme. We see and hear a teenage girl going through the usual moves of her set, careless and fun-seeking and irresponsible as all the others around her, yet her secret life is set in blackness: her divorce from the world of her early years, the culture in which she first learned to see and hear and feel.

Kim has bravely chosen to make her first picture in a way that, at the start, could be mistaken for a gussied-up story of one more high school girl. Aimie is indeed only one such (convincingly presented by Jiseon Kim, no relation): but the mode in which the director sees her double being is—damn the worn word—interesting. ♦

Arnold S. Relman TO LOSE TRUST, EVERY DAY

OVERDOSE: HOW EXCESSIVE GOVERNMENT REGULATION STIFLES PHARMACEUTICAL INNOVATION

By Richard A. Epstein

(Yale University Press, 283 pp., \$30)

LAST YEAR, when the board of directors of Pfizer, Inc., the world's largest pharmaceutical company, named Jeffrey B. Kindler to be the company's CEO, he was quoted in a front-page article in *The Wall Street Journal* as saying, "We will transform virtually every aspect of how we do business, focusing on actions that create and sustain value for our shareholders." Kindler, a lawyer by training, had recently joined Pfizer as general counsel after serving as chairman and CEO of Boston Market and president of Partner Brands, both subsidiaries of McDonald's, the giant fast-food chain. Like most current CEOs of big pharmaceutical firms, he came to his position with little or no training in basic science, medicine, or clinical pharmacology. His expertise was in law and business. His statement about focusing on the interests of Pfizer's shareholders was probably a response to the board's concern about the five-year-long slide in the company's stock price and the recent slowing in the growth of its profits, but it was also fully in keeping with the expected responsibilities of corpo-

rate management. After all, as Milton Friedman once observed, "Few trends could so thoroughly undermine the very foundations of our free society as the acceptance by corporate officials of a social responsibility other than to make as much money for their stockholders as possible."

And yet Pfizer and most of the other big pharmaceutical companies present quite a different public face. They tell the world that their primary objective is not to make profits for their shareholders, but to serve the public interest by discovering and marketing innovative new drugs to fight disease and to improve health. Pfizer's current advertising slogan is "Working for a healthier world." Advertisements for Merck, another giant firm facing bad publicity and falling stock values, describe the company as a place "where patients come first." Schering-Plough's slogan is "To earn trust, every day." AstraZeneca's is "Healthcare for people." To hear these firms tell it, making money is hardly of interest to them, because their primary concern is the public's welfare. And their problem is that no one seems to believe them.

The pharmaceutical industry is caught on the horns of a dilemma. To flourish in the profit-driven prescription-drug

Arnold S. Relman is the author, most recently, of A SECOND OPINION: RESCUING AMERICA'S HEALTH CARE (Public Affairs).

market and meet investors' expectations, drug companies must behave like all other investor-owned corporations and relentlessly follow the money, just as Pfizer's new CEO promised his stockholders he would. But to gain public trust and sell their products, pharmaceutical companies must convince their customers that they are focused first on improving health, and that increasing sales and corporate financial success are not their primary—or only—concerns. The problem is that this altruistic picture is an increasingly hard sell, because of the bad publicity the industry has been getting recently as a result of its frequent misbehavior, and because of the numbingly high prices of many of its new drugs.

Articles are published almost daily in the popular media or in the medical literature that reflect poorly on the pharmaceutical industry and cause acute embarrassment for one or more drug firms. In recent years the industry has been losing the public trust, not earning it, as Schering-Plough would like us to believe. Despite the huge sums it spends on advertising and on lobbying federal and state legislatures, and despite the public relations campaign of its well-heeled trade association, the Pharmaceutical Research and Manufacturers of America (PhRMA), the industry's standing in public opinion has fallen to new lows, so that it now finds itself somewhere near the bottom in most polls, alongside the tobacco industry.

THE pharmaceutical industry thinks that it needs help from skillful outside apologists who can argue its case before the public, and it has supported many economists and health policy experts for this purpose. But it also needs an army of lawyers—not just to represent it in numerous legal actions involving adverse drug reactions, government regulatory or disciplinary actions, contested patent claims, or disputes over its pricing policies, but also to persuade an increasingly hostile public that its business behavior is justified and serves the public interest. Few lawyers would seem more qualified for this latter task than Richard A. Epstein.

Epstein is the James Parker Hall Distinguished Service Professor at the University of Chicago Law School and director of the Law and Economics Program, and he is widely known in the legal profession for his prolific writings and for his forensic skills. He is also a senior fellow of the Hoover Institution at Stanford and an ardent champion of minimal government, private enterprise,

and free markets. Both the University of Chicago and the Hoover Institution are, of course, distinguished academic bastions of conservative thought in economics and law, and Epstein is one of the leading apostles of this tradition, following in the footsteps of Milton Friedman, who also worked at both institutions. It is no surprise that Epstein would emerge as a major defender of the beleaguered pharmaceutical industry. His new book is the most substantial of his recently published efforts to defend the behavior of the industry and refute the industry's critics. (At this point I should disclose that *Overdose* singles out Dr. Marcia Angell and myself as among the industry's most severe critics, and discusses our arguments at length and with hostility.)

As a public defender of the pharmaceutical industry, Epstein has conflicts of interest about which his readers should know. He discloses in the preface to his book that he has served on several occasions in recent years as a legal consultant for Pfizer and for PhRMA. He also reports that his first major writing on the industry in 2004 (which will be discussed shortly), was proposed and supported by the Institute for Policy Innovation (IPI). The IPI is a Texas-based conservative think tank, founded in 1987 by then-Representative Dick Armey, which describes itself on its website as approaching policy issues "from a consistent philosophical viewpoint of individual liberty and responsibility, free markets, and limited government." It is supported privately and has done work for drug companies, though its president, Tom Giovanetti, told me in a recent conversation that IPI received no funds from the industry specifically earmarked for the support of Epstein's work.

Epstein thinks that medical care should be regarded as a private enterprise not fundamentally different from other businesses. In his earlier book *Mortal Peril*, which appeared in 1997, he argued that health care should be largely a personal responsibility, and outside agents such as government and insurance companies should be involved as little as possible. Those who are destitute and seriously ill may deserve charity from hospitals or physicians, but if they repeatedly become ill because of their own negligence, they should fend for themselves. In general, Epstein instructs, health insurance is bad, because beneficiaries act irresponsibly when spending the insurer's money, and that leads to disastrously high expenditures—what economists call the "moral hazard"

of insurance. Like so many other government interventions, health insurance through Medicare and Medicaid has had negative, although unintended, consequences.

Health care providers, Epstein believes, are in a private business, which functions best when it is left to the market and is free of government regulation. In *Overdose*, Epstein argues that the pharmaceutical industry, as part of the health care economy, should also be given the maximum possible freedom to run its own affairs, unfettered by government oversight. The main argument of his new book is that "excessive" government regulation is threatening the creativity and the productivity of the pharmaceutical industry, with serious consequences for public health.

To put it mildly, I think that Epstein is wrong. And so at the outset I should make my own premises plain. I do not believe that our health care system should be treated like a private business. Health care is a public responsibility that needs regulation and support by government. Whereas Epstein sees the pharmaceutical industry essentially as a special sector of a private health care economy, I believe it has many of the same public responsibilities as the health care system, and therefore needs public oversight. Moreover, and in contrast to Epstein, I believe that prescription drugs are different from most other commercial products—so different that they warrant government regulation of their development, their manufacture, and their sale.

II.

RICHARD EPSTEIN'S opinions on health care would seem to be the views of a dyed-in-the-wool libertarian who thinks that the primary functions of government should be limited to the protection of private property, the preservation of private choices, and the enforcement of voluntary contracts. And yet he sees nothing wrong with government protection of the interests of pharmaceutical companies; indeed, he favors it. His "anti-government" philosophy gladly bends government to accommodate the economic objectives of his clients. Thus he castigates the FDA, "government bureaucrats," and private critics for restricting the freedom of the pharmaceutical industry and thereby reducing its incentives to find and to develop creative new medical treatments. (In this context, he remarks that Angell and I have a "Soviet-style" mentality and take a "commissariat"-like approach.) At

the same time, he argues for stronger government support of the industry's monopoly rights and for government protection against price competition from abroad. He wants handouts from the public without public oversight.

As the subtitle of his book proclaims, Epstein thinks "excessive" government regulation of the pharmaceutical industry is "stifling" innovation. But many observers and scholars have demonstrated that the opposite is the case. The public interest at present requires more government oversight of this industry, not less. It can be empirically shown that government regulation is not the major enemy of pharmaceutical creativity that Epstein claims it to be. Indeed, the industry's greatest enemy is itself. Innovation by the major pharmaceutical firms has certainly fallen off sharply in recent years, but there is good evidence that the cause lies with the industry's own policies rather than with government regulation. The drug companies are being driven more by financial ambition and marketing considerations than by scientific or public health objectives, and *that* is the root of their current problems. But I am getting ahead of my story. I must first turn to a closer examination of Epstein's defense of the drug industry.

EPSTEIN PRESENTS most of his case in *Overdose*, but he also made some interesting arguments in an earlier and shorter publication, an "Issue Brief" sponsored by IPI titled "Does America Have a Prescription Drug Problem?" which appeared in 2004. (There is much overlap between the "brief" and the book; the former is mainly an attempted rebuttal of an essay that Marcia Angell and I published in these pages in 2002, while the book covers wider ground, including a detailed discussion of drug patents and FDA policies not found in the brief.) In a recent op-ed piece in *The Wall Street Journal* and a related letter to the editor a few weeks later, Epstein has further sharpened his views on the role of the FDA. Altogether, his writings are probably the most articulate public defense of the pharmaceutical industry, and the most aggressive counterattack on its critics, to be found anywhere. But all his sophistication notwithstanding, Epstein falls far short of making a credible case. He may be a formidable opponent in legal disputes, but when talking about prescription drugs he quickly gets in over his head.

Epstein bases his defense of the drug industry on an incredible assertion. He

wants us to believe that prescription drugs are just like other market commodities, and therefore there is no reason that their production, sale, and marketing should require more government regulation than any other product on the market. "The insistence that pharmaceuticals are not 'ordinary goods,'" he declaims at the beginning of his IPI brief, "rises to the level of theology because it is based on preconceived beliefs rather than evidence." That is how he dismisses the proposition that pharmaceuticals, because of their special nature, need federal regulation. But surely drugs are not "ordinary goods." Only those who deny the existence of any but "ordinary goods" could think that drugs belong in that category. How many other commodities are chosen for the consumer by a physician and cannot be legally dispensed without a prescription? How many other commodities are purchased not as a result of the consumer's free choice, but because a physician decides they are needed by the consumer to treat disease or protect health? What other commodities need scientific evaluation by the FDA before they can be marketed, and after that often require continuing medical supervision because health—and even life itself—may depend on their proper use?

In what world does Epstein live? Almost everyone familiar with our health care system—including the leaders of the industry!—agrees that prescription drugs should be regulated. The issue is not whether, but how. Epstein must know this, but one can only surmise that his anti-regulatory zeal, his Friedmanite fundamentalism, sometimes overpowers his common sense. Or perhaps it is just his combative lawyerly instinct that makes him unwilling to concede anything—even an obvious truth—to his opponents.

It is perfectly clear that prescription drugs not only should be regulated, but are regulated. Moreover, much regulation *favors* the drug industry—a plain fact that Epstein must also know, but chooses to ignore when it suits his argument. Consider the importation of FDA-approved drugs from Canada, which the government has outlawed on the spurious ground that they are not safe. Consider also the extraordinary steps that a Republican-controlled Congress took to ensure that Medicare would not be permitted to influence market prices by directly purchasing prescription drugs for beneficiaries who enroll in Part D under the so-called Medicare Modernization Act of 2003. Still other exam-

ples of how government regulation often favors the drug industry are the relaxed way in which the U.S. Patent and Trademark Office now issues patents for new drugs and the Bush administration's heavy-handed trade policies that force other countries to serve the interests of American manufacturers of brand-name drugs. These, too, are ignored by Epstein as he rails against the "stifling" effects of "excessive" regulation.

EPSTEIN DEVOTES more than the first third of his book to a detailed and approving exposition of the role of patents in protecting and encouraging innovation and investment in research and development. Much of what he says in general support of the patent system is reasonable. Patents are, in effect, government-granted monopolies. Without their protection, pharmaceutical firms would have little or no economic incentive to develop and test new drug candidates, given that it is very expensive to bring new drugs through the long process of testing and final FDA approval and that the great majority of drug candidates are abandoned along the way.

Epstein makes much of the ever-increasing costs of the research and development process, and of the highly "risky" investments pharmaceutical companies must make in trying to bring a new drug to market. Although his point is valid in general terms, the exact costs of research and development remain shrouded in mystery, because companies will not give a full accounting of what they actually spend in developing each drug in their pipelines—the few that make it through to the market and the many that drop out along the way. We simply have to take the industry's word for the information that it chooses to release. Based on this selective and unverified information, calculations by economists of the average cost of each approved new molecular entity that is developed entirely within a major company, including the costs of all failures, produced a figure of about \$800 million a few years ago. Now, according to some industry consultants, that estimate has risen to \$1.6 billion. Yet both these figures include the so-called time-cost of the money spent, a theoretical and much-disputed quantity that contributed about half of the \$800 million figure.

Adding to the obscurity of these estimated research and development costs are a number of other inconvenient facts. First, most new drugs entering the market these days are not

new molecular entities, and therefore they are less costly to develop and to test than the new molecules for which cost estimates are made. Second, a large (and growing) fraction of new drugs marketed by the big companies were not discovered and developed entirely within the company, further suggesting that published cost estimates may not be typical of the drugs now generating most of the industry's income. A significant portion of new drugs came from publicly supported academic or government laboratories, or were licensed from smaller firms that have often carried out much of the early research and development. Third, the estimates of costs omit the usually extensive tax deductions and frequent tax credits allowed to the manufacturer, which reduce the net costs of research and development to the company.

Whatever a company's actual cost of research and development, Epstein is of course right when he says that the manufacturer must be able to earn back that initial cost (plus a reasonable profit) from the sale of its drugs. That means the price of each drug must reflect much more than the relatively small costs of its subsequent manufacture and distribution after it has reached the market. But how much more? What, exactly, is a "reasonable" profit? The patent monopoly, Epstein points out, confers on the patent holder, for the duration of the patent's life, the legal right to sell his product at whatever price (or prices) he can arrange. Epstein implies that the high prices of newly marketed patented drugs reflect the need to recoup the high cost of their initial R&D, but that implication is denied by at least some of the leaders in the industry. Raymond Gilmartin, the most recent past CEO of Merck, publicly stated that it was the "value" of the drug to the patient that was the prime determinant of price, not what it cost to bring the drug to market.

Similar statements have been made more recently by other drug company CEOs and by executives of the biotechnology companies marketing the new genetically engineered molecules that are now being used against cancer. The latter products have been shown to extend average survival in some cancer patients by a few months, but are priced at tens of thousands of dollars (some as high as \$50,000) per course of treatment. Regardless of the disease it targets, and whatever the benefit, no one has ever adequately explained exactly how the "value" of any new drug can be translated into dollars. It seems more likely that

the price of newly approved patented drugs is simply set at whatever the manufacturer believes the market will bear. This is not a strategy that is likely to win friends for the industry.

The SEC filings of the big drug firms show that most of them, year in and year out, report net incomes of about 15 to 20 percent of total sales, placing the pharmaceutical industry among the most profitable of all American industries. The drug industry's stock prices may have declined in recent years (along with its innovativeness and productivity), but its net income has suffered very little. Does this justify describing the industry as "highly risky" and seriously threatened by any government actions that might rein in its power to dictate prices? I can understand why the general public is skeptical.

EPSTEIN BELIEVES that the patent system as it now operates ensures that only "novel" and "non-obvious" new drug products will be awarded patent protection. Nowhere does he acknowledge the widely recognized fact that the process of patenting is not nearly as rigorous as it used to be. The standards for "novelty" and "non-obviousness" have been greatly lowered in recent years, as the capacity of the Patent and Trademark Office expertly to vet applications for drugs and other new products has become compromised by lack of resources. To those interested in more details and an informative analysis of the problem, I recommend *Innovation and Its Discontents* by the economists Adam B. Jaffe and Josh Lerner, which appeared in 2004. Their conclusions are supported by Marcia Angell's findings, reported in her book *The Truth About the Drug Companies*, that new drug patents are now being granted for the most trivial of innovations. That the "novelty" of new drugs is declining is also supported by the FDA, which classifies about 80 percent of the new drugs it has approved in recent years as having therapeutic properties similar to those of already existing drugs, and finds an almost equal percentage not even to be new molecular entities.

Under the Kefauver amendments to the federal food and drug laws, the FDA was empowered in 1962 to certify the "effectiveness" of new drugs, not simply their purity and their safety. But the standard against which the FDA was expected to judge the effectiveness of each new drug was that of a placebo, not some already approved drug used for the same purpose. This regulation was intended to discourage

the approval of worthless drugs, but its greatest effect has been to allow manufacturers to flood the market with supposedly "new and improved" pharmaceuticals and yet provide no information on how they compare with, and improve upon, existing drugs. Contributing to this flood are so-called "me-too" drugs of the same family, which differ just enough from one another in chemical structure, formulation, or method of administration to meet the Patent Office's narrow definition of "novelty," and are approved by the FDA for use in the same clinical condition.

Researching, developing, and marketing "me-too's" consumes much of the drug industry's resources these days, and the unfortunate results are plain to see. In almost every category of drugs with a large and lucrative market—statins to lower cholesterol, antidepressants and antipsychotics, oral agents to control blood sugar in diabetics, drugs to control blood pressure by reducing the activity of the renin-angiotensin system, non-steroidal anti-inflammatory pills to reduce the pain of arthritis—there are multiple products with similar chemical structures and closely related mechanisms of action. Since the FDA requires only that these drugs be "safe" and more effective than a placebo, and since there are few or no head-to-head studies to compare the relative safety and effectiveness of all these "me-too's" at equivalent doses, each of these markets is open to exploitation and to further expansion through aggressive marketing by the drug manufacturers. Companies promote new medical diagnoses ("premenstrual dysphoric disorder," "social anxiety disorder"), or support medical committees writing new guidelines for treatment, so as to create more indications for prescribing one of their "me-too" drugs. Meanwhile the industry neglects the search for genuinely new drugs in such currently overlooked but important categories as antibiotics for drug-resistant bacteria and viruses and drugs for some of the major parasitic diseases, such as malaria.

Epstein sees nothing wrong with the emphasis on "me-too's." In lockstep with the industry's other representatives and defenders, he says that these drugs increase the choices available to patients and their doctors, and that this is useful because different patients may respond differently to closely related drugs in the same class. It is currently fashionable to suggest that subtle genetic differences may be responsible for individual variations in the response to a

given drug, and that in the future treatment will be tailored for each patient on the basis of his or her genetic makeup. Hence, the more variations on a particular drug molecule—that is, the more “me-too” drugs—there are for patients to try, the more effective treatment will be. This argument certainly sounds appealing, but there is little or no published evidence to support it. At present we simply do not know very much about possible genetic influences on the response to most drugs in common use. The medical literature has relatively few well-documented examples of patients being intolerant or unresponsive to one “me-too” drug in a class but not to another, whatever the explanation. Unfortunately, most such claims are based on hearsay or personal anecdotes, and in the absence of data from published reports, they are not credible.

Epstein also claims that multiple “me-too” drugs create market competition that tends to lower prices. Here again, the evidence is lacking. In fact, the available data show the opposite. The wholesale prices paid by independent drugstores for new patented drugs almost never go down over time. They almost always go up, usually at a rate faster than general inflation. Any local druggist will tell you this, and it is also confirmed by the occasional drug-price surveys conducted by AARP. Bulk purchasers, such as hospitals, Medicare Part D insurance plans, HMOs, and large pharmacy chains, may strike private and confidential deals with drug suppliers for lower prices. But the power of such buyers to demand price reductions probably derives at least as much from the volume and the scope of their purchases as from the competition among sellers that is promoted by a multitude of “me-too’s.”

III.

A MAJOR SECTION of Epstein’s book deals with the regulatory role of the FDA. Here he argues that, beyond its regulation of the purity and the manufacture of drugs, the FDA should not have the power to control the marketing of new products on the basis of their effectiveness or—within wide limits—their safety. Instead, he contends, most such decisions should be made “downstream,” by patients and their physicians, who are in a much better position than the FDA to decide which drugs they should use. In supporting this view, Epstein dismisses the notion that the results of a clinical trial are important in determining what an individual patient should do.

“It could well be that on average a particular drug does not perform as well as a placebo,” he remarks. “But so what? That only shows that most people should not take the drug, not that it should be banned from the market.” After all, he argues, there is always a certain amount of variation around an average, with some patients responding more favorably, and others less favorably, than the norm. If the variation is large enough and the average of the response to the drug is not too far below the average response to the placebo—if there is overlap in the ranges of the two responses—then there will inevitably be some patients for whom the drug will have been better than the placebo, despite the fact that the drug, on average, is no better than a placebo, and possibly even a little worse. If the FDA is allowed to ban the marketing of such a drug, Epstein claims, it denies some patients access to a product that may be helpful. Inasmuch as there is at present no way to predict in advance which patients will do better or worse than the average, the only sensible approach is to allow patients (with the help of their physicians) to determine through their own experience which drugs are best for them.

On the strength of this argument, and given the increasingly high cost of clinical trials, Epstein concludes that the FDA puts an unnecessary burden on the industry when it requires that manufacturers conduct clinical trials to demonstrate the superiority of a drug candidate over a placebo. It is an example, he says, of the “excessive” regulation that is throttling the ability of drug manufacturers to develop innovative new treatments. In sum, he wants to return the FDA to the good old days, when its regulatory authority was limited to ensuring the purity, the content, and the safe and uniform manufacture of drugs, and when patients and their doctors had to fend for themselves in choosing which drugs to use.

WHAT ARE WE to make of this? Does Epstein really not understand that properly designed and conducted clinical trials are now universally accepted as the most reliable means of determining the effectiveness of a drug? He believes that some of the above-average responders to a drug that may not on average be better than a placebo may still benefit from taking that drug, but only if there is some overlap in the distributions of the responses to the placebo and the drug. But how can anyone know about the distribution of the

responses without doing a trial?

Epstein seems unfamiliar with the basic laws of biostatistics and clinical epidemiology, which teach us that the clinical results of all trials have individual variations about the average that can have many causes, including errors in measurement, subjective bias, and multiple confounding factors both known and unknown. These variations influence the confidence that we can place in differences between the average results of two populations (the test group and the control group), but they tell us nothing about the meaning or the reproducibility of any single observation. So does Epstein really believe that patients and their doctors can reliably and safely compare the effectiveness—or the safety—of drugs simply by private trial and error, without any other outside information? Does he really not know that patients must rely heavily on the knowledge and the experience of their physicians, and that their physicians must base their advice largely on what they read or are taught about the results of clinical trials? Without that background information, it would be hazardous for a doctor to prescribe a new drug for a patient, particularly if the patient has a serious disease.

Clinical trials were a major contribution to the development of modern medicine. They changed the basis for the use of drugs from something akin to hearsay and witchcraft to something much closer to science. They made possible most of the advances in drug therapy that have revolutionized the treatment of so many diseases over the past half-century. With his insistence that physicians and their patients can decide for themselves by trial and error which drugs are safe and effective, Epstein takes a giant step backward into an earlier era, before epidemiological and statistical science appeared on the scene.

And yet he stops short of following the logic of his own argument and calling for the abolition of all clinical trials. What he proposes instead is not at all clear. “I can claim no expertise on which clinical trials should be eliminated and which preserved,” he declares. “But it seems clear that something, anything, should be done to break down the logjam.” The “logjam” to which he refers is the supposedly excessive number, length, size, and cost of the clinical trials required by the FDA before it approves a new drug. This, according to Epstein, has been responsible for keeping a significant number of “good drugs” off the market or delaying their entry.

But this “logjam” is pure conjecture, because there is nothing to support such a notion. There was once a problem with delays in reviewing and approving new drugs, but much has been done through legislation and administrative reforms at the FDA to expedite and to simplify the process of drug approval. The FDA now moves with greater alacrity than most analogous agencies in advanced countries. For many drugs, the agency now requires only one or two good clinical trials to support an application for approval. Uncertainties about long-term complications, or about rare but serious side effects, are not allowed to delay approval. Instead, approval may be contingent upon the manufacturer making a commitment to carry out follow-up studies of safety involving more patients or much longer periods of observation after the drug is on the market. In practice, however, most of these “commitment” studies are never conducted.

An important response to the general concern about delays in the approval of new drugs was PDUFA, the Prescription Drug-User Fee Act, which was first enacted in 1992 and has been renewed every five years since. Under this legislation, drug manufacturers pay an annual fee to the FDA’s drug evaluation center that is increased with each renewal, so as to provide additional resources to help expedite the review process. Currently about half the budget of the FDA’s Center for Drug Evaluation and Research comes from these “user fees,” and this fraction has grown as Congress reduces its direct appropriations. Review times for new drugs have indeed been greatly shortened: they are now in the range of six to ten months, and in a few special cases even less. (For generic drugs, review usually takes longer.)

Yet these “user fees” are poor policy, because they make the FDA financially dependent on the industry that it is supposed to regulate. Financial support for the FDA should come from Congress instead, and a larger part of the agency’s budget should be devoted to safety and post-marketing surveillance. At present only about 5 percent of user-fee revenue is used for this purpose. (A recent report from the Institute of Medicine of the National Academy of Sciences found serious problems with the FDA’s dependence on PDUFA and recommended more emphasis on post-marketing surveillance for safety.) Epstein thinks that PDUFA should be amended to ensure that Congress keeps up its support so that all money com-

ing from industry represents additional dollars, but he sees nothing wrong with the idea of support from industry, nor with the current focus on expediting approval rather than on monitoring safety. He sees no conflict of interest in PDUFA’s relation to the pharmaceutical industry, “in light of the FDA’s reputation for independence.”

What “independence” is he talking about? In recent years, both Congress and the FDA’s leadership have made it clear that they consider the agency’s mission to include helping manufacturers bring their drugs to market. With legislative approval, the FDA now expedites the approval of priority drugs by consulting in advance with manufacturers on the design of a clinical trial and even starting its review of priority drugs before a required trial is completed. At the industry’s request, the FDA keeps the results of failed trials confidential, apparently accepting the industry view that these are “trade secrets.” It also tolerates the flouting of commitments to carry out post-marketing safety studies and is notably reluctant to mandate the removal of unsafe drugs.

Epstein may see nothing wrong with the industry’s paying the FDA to review its drugs, just as he dismisses any concerns about the FDA’s habit of allowing experts with financial ties to the drug industry to serve on its advisory committees. But none of this will be reassuring to the industry’s critics. They worry that the FDA is not as independent as a regulatory agency should be, and this worry undoubtedly adds to the current public distrust of the pharmaceutical industry. The industry’s failure to meet its promises to carry out follow-up studies on drug safety and the FDA’s indifference to this dereliction have only heightened concerns that neither the industry nor the agency has been sufficiently vigilant in protecting the public against unsafe drugs. Epstein’s position boils down to caveat emptor: patients should be allowed to decide, with the help of their physicians, what risks they wish to take. FDA-inspired warnings on drug-package inserts may sometimes help, but Epstein thinks that they are too often exaggerated.

IV.

HAVING ARGUED that much of the FDA’s current regulatory authority should be replaced by the individual choices of consumers and their physicians—and after supporting PDUFA, which establishes the FDA’s collaboration with and partial subsidization

by the drug industry it is supposed to regulate—Epstein turns next to a defense of the industry’s marketing and advertising policies. Asserting once again that prescription drugs are selected and purchased by consumers just like other market commodities, he opens his discussion with a lecture on the theoretical economics of marketing and advertising as applied to any commodity—in this case, prescription drugs.

Epstein maintains that when the commodity in question has very large front-end development costs and relatively much smaller unit-manufacturing costs (as is the case with prescription drugs), the price to the consumer is reduced by the increased sales generated through marketing and advertising. Assuming the latter to be accurate and informative, the interests of both consumer and producer are well served by marketing and advertising. The consumer learns about products that are valuable for his health, and the company generates the sales income that enables it to offer its drug at a lower price, while still making enough money to cover the costs of development and marketing.

Without the information from advertising, Epstein argues, consumers would have no way of knowing about the benefits of a good drug and would lose an opportunity to maximize the drug’s “utility.” And without marketing and advertising to physicians, the pharmaceutical company would have no way of selling enough of its drug to justify making the necessary up-front investment in research and development. According to Epstein, those who do not understand the economic principles involved here are totally misguided in criticizing the industry for its large expenditures on marketing and advertising. This investment—which, he asserts, is not really as large as the critics claim—does not add to the cost of drugs. In fact, it brings the consumer’s cost down.

How neat. Unfortunately, the argument is a house of cards that quickly collapses under scrutiny. There simply is no evidence that the increased sales generated by marketing and advertising lower the price of patented drugs. The listed wholesale price of a prescription drug almost never goes down, no matter how much the volume of its sales may increase. As noted before, the price of a patented drug, by the general admission of industry management, bears no predictable relation to manufacturing costs, but reflects instead the company’s assessment of its supposed “value” to the patient.

Another of Epstein's false assumptions is that advertising and marketing are either accurate or intentionally misleading, either good or bad. Yet most sales promotion falls somewhere along a continuous spectrum ranging from outright fraud to perfect accuracy. Most drug advertising, as any experienced physician knows, is biased to some degree. It is enthusiastic about the product, emphasizing the positives and downplaying the negatives—but it is neither overtly deceitful nor impeccably precise. The FDA puts very few resources into the monitoring of drug advertisements, and it moves very slowly to rebuke companies for misleading ads. And so it is naïve to suggest, as Epstein does, that consumers and physicians can rely on marketing and advertising to instruct them on the value of a given drug. They cannot, as almost any physician knows.

It is even more unrealistic and mischievous for Epstein to declare that “medical practitioners need that information and often cannot get it (or critical free samples) from any other sources.” As professionals legally and morally responsible for the medical treatment they provide their patients, physicians are educated about the use of drugs by experts in their own profession, through textbooks and journal articles, through lectures at professional meetings, and through continuing medical education courses. It is true that too many practitioners do not keep up with these educational sources and depend too much on the information conveyed by marketing and advertising. But the professional standards are quite clear: the medical profession is supposed to educate itself.

Epstein surely must understand this. In fact, a few pages after the quotation in the previous paragraph, he admits that physicians, unlike their patients, “have access to multiple independent sources of knowledge about drugs, as well as the background information that they have acquired through years of schooling and practice.” He is quite right about this. Advertising may remind physicians about the latest products from industry, and it certainly helps a product's sales; but it should not be the foundation of the practicing profession's knowledge about any particular drug—and usually it is not. If patients are to trust their physicians,

the doctor's information about drugs should come mainly from independent professional sources, not from the advertising pitches of the manufacturers. As for the “critical free samples” that Epstein touts, he ought to understand that as part of the manufacturer's marketing campaign, the chief function of these samples is to encourage physicians to start patients on a new—and usually expensive—“me-too” drug. Manufacturers do not help patients with the expense of continuing the medication once the free samples are exhausted. In this sense, free samples are usually more “critical” to the company's financial success than to the welfare of the patient, who in many cases would probably have been just as well off with an older, cheaper drug.

Epstein's enthusiasm for the industry's aggressive marketing campaigns—including the multitudinous small gifts, favors, and free meals lavished on practitioners by the swarms of detail people competing for physicians' time and attention—apparently blinds him to the ethical problems and the conflicts of interest that result. He has little sympathy for the increasing efforts by some academic medical centers, and by some reform-minded elements in the medical profession, to limit the exposure of physicians—especially students and residents in training—to the industry's blandishments. And he offers no criticism of the industry's growing subsidization of the continuing medical education courses that are intended to keep practicing physicians current on the latest developments in drug therapy. Like PDUFA, these “education grants” from the industry are supposed to further the public interest, but if they did not contribute to the marketing of new drugs, it would be hard to understand why industry management would invest the billions of dollars with which they support these programs.

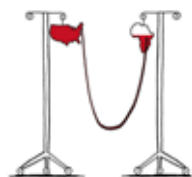
EPSTEIN ENDS his book with a grand flourish. He lists the current threats to the pharmaceutical industry: “the ever-wider net of regulation at all stages in the long and tortuous process of drug development and marketing”; the “constant attacks on the intellectual property rights on which the entire system rests”; and the “various systems of price restrictions [that] will choke off the ability to recover the

front-end costs of drug development.” Then he reveals what is really behind all these attempts to cripple the pharmaceutical industry: “socialized medicines” and “relentless populism.” The regulation of the drug industry for the public good is, in his opinion, a plot by those who hate capitalism to have the government take over complete control of a business. But finally he is not quite a pessimist: “as various developments push ever closer to the brink, even politicians will start to pull in their horns, because deep down they don't want to kill a goose that may yet contain a few more golden eggs.” Golden eggs, indeed.

Is all this really the expression of a great legal mind? Instead of reasoned arguments based on the facts about the development, the marketing, and the medical use of pharmaceuticals, we get only readings from Epstein's client's playbook, which relies heavily on deception, secrecy, and the tired tactics of name-calling. There is grudging acknowledgment that some companies occasionally misbehave, for example by marketing to physicians in an overly aggressive manner or by pitching misleading ads to consumers. But for the most part Epstein paints a fantastical picture of a blameless, besieged industry. The truth is that most of the drug industry's problems are self-inflicted. Even as it continues to reap unprecedented profits, it wallows in self-pity and unconvincingly plays the victim.

If you wish to understand the realities of health care in America today, Richard Epstein's analysis will avail you nothing. Despite his insistence to the contrary, the truth is that medical care and prescription drugs are basically different from other services and commodities in the marketplace, and market economics does not do a good job of protecting the public interest. If we want a pharmaceutical industry and a health care system that put patients' welfare and society's needs ahead of profits, we will need more regulation, not less. Epstein argues on both sides of this issue by railing against restrictions that purportedly limit the industry's freedom and ability to take risks, while also supporting regulations that reward the industry and protect it from competition and public accountability. He is Big Pharma's perfect advocate. In his horror of “socialized medicines,” he defends what might be called pre-socialized medicine, an inhumane view of health care that prefers economic ends to social responsibility. ♦

TOMASZ WALENTA



Andrew Delbanco

MONEY AND THE NOVEL

EDITH WHARTON

By Hermione Lee

(Alfred A. Knopf, 869 pp., \$35)

THIS PAST SPRING, Hermione Lee delivered the Lionel Trilling Seminar at Columbia University on the subject of literary biography in general and the life of Edith Wharton in particular. Such an event would not have taken place when I came to the university two decades ago. In those days, literary theory was all the rage, and biography was condescended to as an “undertheorized” and therefore unserious genre—a higher form of gossip that belonged on the beach-house bookshelf with bodice-rippers and barbecue cookbooks. If a young scholar thought of submitting a biography as his “tenure book,” some more seasoned colleague would have told him what Madame Merle tells Isabel Archer in *The Portrait of a Lady*: “That is very crude of you.... What do you call [the] self? Where does it begin? Where does it end?”

That was long ago. We are all theorists now, at least in the rudimentary sense of conceding that facts do not add up by sheer accumulation to truth, and that motives are often unknowable, and that the mysterious force we call the market may be as much responsible as the will of the artist for the production and consumption of works of art. None of these notions is the least bit new, but their resurgence means that the idea of a “definitive” biography—once a standard term of praise—has been pretty much discarded.

And yet biography is booming again, even in the academy, all the methodological and epistemological skepticism notwithstanding. Hermione Lee is arguably its leading practitioner. A few years ago, in the brief opening sentence of *Virginia Woolf's Nose: Essays on Biography*, she summed up nicely why the form will always be with us: “We all want stories.” And of all the forms of literary criticism, biography is most likely to deliver what we want:

History, politics, sociology, gossip, fiction, literary criticism, psychoanalysis, documentary, journalism, ethics, and philosophy are all scrambled up inside

the genre. But the target of all these approaches is a living person in a body ... through all the documents and letters and witnesses, the conflicting opinions and partial memories and fictionalized versions, we keep catching sight of a real body, a physical life: the young Dickens coming quickly into a room, sprightly, long-haired, bright-eyed, dandyish, in a crimson velvet waistcoat or tartan trousers Rimbaud, dust-covered and scrawny and dressed in baggy grey khaki trousers, leading a caravan of camels across the desert sands of Abyssinia Edith Wharton and Henry James, veiled and hatted, tucked up comfortably in the back of the Panhard behind the chauffeur, exchanging impressions as they zoom along the empty French roads.

It was that last pair with whom Lee was traveling when she wrote those lines, and now, ten years after the appearance of her magisterial life of Virginia Woolf, she has delivered a vast life of Edith Wharton. It is a post-theory biography—authoritative and tentative at the same time.

The authority is earned. Although Lee once confessed (in her life of Woolf) to “periodic attacks of archive-faintness,” she shows no faint-heartedness here. She has examined every scrap of writing, private and public, in the Wharton archive, and regrets that there is not more. (Wharton's letters to Henry James, for instance, went up in a bonfire at Lamb House, James's home, in 1915.) The resulting book is an amazingly informed account of friendships, flirtations, marriages, estrangements, divorces, collaborations, jealousies, and generosityes mainly among well-to-do Americans who, from the late nineteenth century through the first third of the twentieth century, journeyed and sojourned with European and Europhile friends, zig-zagging across the Continent via holiday resorts, health spas, the estates of friends, and their own multiple residences. Along the way, we learn about everything from Wharton's marriage and her compensatory flirtations to her parquet floors (the pattern was diagonal), the furnishings in her vestibule (there was a blue urn on a pedestal), and the breeds (Pekingese, Pomeranian, Papillon,

among others) and names (Mimi, Miza, Jules, and so on) of her dogs.

OVER HER LIFETIME of seventy-five years, Edith Wharton, born Edith Newbold Jones in 1862 to a moderately wealthy New York family, spent less and less time in her native city. When she was there, she generally wished to be somewhere else. According to James, she was a “poor dear goaded wanderer”—beginning with childhood travels in tow to her parents, later hopping from friend to friend at estates with portentous names like Qu'Acre and Hill Hall, or for colloquies with James at Lamb House, or with Bernard Berenson at I Tatti—sometimes accompanied by her occasionally “violent & scenic” (James's words) husband Teddy, more often without him as he went off on his own to such exotic places as India, where the “obsessive Indian consumption of whiskey and soda” earned his disapproval—mainly, one suspects, because of the diluting effect of the soda.

Like James, Wharton wrote especially well about Americans in Europe. She knew the subject from within. She kept homes in London and, most happily, in Paris, at No. 53, later No. 58, Rue de Varenne, until the end of World War I, when she moved to the quieter district of Saint-Brice-sous-Forêt, where she lived until her death in 1937. Paris, as she says of a character in a late novel, was her “great traceried window opening on the universe.”

The corner of the universe that Wharton knew best was where old society and new money converged. Sometimes the new money belonged to an industrialist from the west, such as Abner Spragg in *The Custom of the Country* (1913), whose daughter, Undine, makes her assault first on the society of New York, then of Paris. Sometimes it belonged to an arriviste from the east, such as the Jewish speculator Simon Rosedale (modeled on August Belmont) in *The House of Mirth* (1905), who lurks around the edges of Old New York looking for a point of entry. Wharton wrote about this dance of mutual inspection from the perspective of insiders looking out and outsiders looking in. All her life she felt a deep distaste for the invaders, but there was a part of her that welcomed them for destroying, by adopting for themselves, her natal world.

Andrew Delbanco is director of American Studies at Columbia University and the author, most recently, of *MELVILLE: His World and Work* (Knopf).

Early in Lee's biography, she writes of young Edith that she was "held in her world and a watchful stranger to it." And though careful not to identify her in some simplistic way with the financially fallen Lily Bart in *The House of Mirth*, who cannot bring herself to act ruthlessly enough to secure her place in New York society, Lee says of Lily something that may be justly said of Wharton: she experienced "movements of spontaneous revulsion from what wraps her round." This simultaneous feeling of coziness and constraint in the familiar is the keynote of both Lee's biography and Wharton's fiction—the impulse to savor what we know because it is a part of who we are, while at the same time feeling closed off from the possibilities of life because of the suffocating effect of the normal and the known.

In telling the story of how Wharton lived with and wrote about this problem, Lee sometimes gives too much, at some cost to the flow of the narrative. But mostly she spares us the dross and treats us to the gold. She quotes, for instance, a delicious fragment from 1913, the year of Wharton's divorce from Teddy, who, when he was not violent and scenic, was, according to James, "pleading, suffering, clinging, helpless." It is a note for a story that Wharton never got around to writing:

"Did you know that John and Susan committed suicide together on Tuesday?"

"What? No?—How?"

"They got married."

The author of this bitter three-liner was known among family and friends by the hazardous (today, anyway) nickname Puss or Pussy, and a few pages later Lee gives us a letter that Teddy wrote to a friend in which the poor fellow confirms what everyone knew: "I am no good on Puss's high plain [*sic*] of thought." Evidently, on the evidence of the sexual failure of their marriage, he was no good on the low plane either—at least not from Puss's point of view.

In this respect, Lee complicates the story told by previous biographers. In his life of Wharton, published in 1975, R. W. B. Lewis presented her as a sexually starved woman who expressed her sensual nature exclusively in her writing, until—as Lewis was the first scholar to discover—she began at the age of forty-six a passionate affair with the bi-sexually promiscuous Morton Fullerton. Lee agrees with Lewis that Wharton's marriage to Teddy had been, as their

"nosy" (Lee's word) friend the architect Ogden Codman described it, a *mariage blanc*, and that Fullerton, whom Lee calls "thoroughly Frenchified," was the man who awakened her to sexual pleasure. But Lee also cites a diary, missing for decades until it turned up in a French library in 1991, in which Edith gives a happy picture of a Mediterranean cruise with her husband early in their marriage.

THIS BOOK, in other words, has the courage to be tentative. It does not follow other recent biographies—the best-known case is Stephen Greenblatt's recent life of Shakespeare—whose authors take license from the demise of the old positivism in order to make up more and document less. In the absence of evidence, Lee does not invent. Greenblatt's book is filled with subjunctive constructions like "may have," "could have," and even "must have," as he speculates without much warrant about Shakespeare doing this, going there, feeling that. Lee allows herself such formulations only now and then, and only on minor matters—as when she surmises that, after James's death, Wharton "must have felt the loss very acutely" since her old friend could no longer praise her for her promotion from *chevalier* to *officier* of the Legion of Honor. In this case, the guess seems a good bet.

Writing with imaginative latitude but within the limits of the evidence, Lee is able to convey a sense of intimacy with Wharton's inner life. She declines to read backward from a telegram sent when they were both in their sixties to Wharton by Walter Berry, an American lawyer and diplomat whom she had known since their twenties and who later became her neighbor in Paris. "I've never 'wondered' about anyone else," he wrote to her, "and there wouldn't be much of me if you were cut out of it." Other biographers have assumed that Berry preceded Fullerton as Edith's lover, but Lee turns biographical restraint into biographical opportunity:

The lost dream; the missed chance, and the "long run" of disappointment and compromise that follows it; the by-passing of the one true intimacy; the stifled lifelong longing: these are Wharton's subjects, and Walter may have inspired them. But we cannot assume from this one tender (if self-preserving) note from an old friend in his mid-sixties, or from her fiction, that Edith Wharton spent the years of her marriage, and the rest of her life, wishing she had been married to

Walter Berry. What she felt about him changed over the years. And much of what she felt is hidden from us.

The effect of this finely poised prose is to suspend Wharton and Berry between plausible alternatives and, despite our not knowing exactly what they said or felt or meant, to make them vividly present.

Lee has an exquisite ear for nuance. When Henry James describes the Mount as "a delicate French château mirrored in a Massachusetts pond," she allows opposing possibilities to co-exist: he was either praising Wharton for importing a work of European refinement into the American context or mocking her for her provincialism—or more likely, being James, he was doing both. When Wharton's friend Teddy Roosevelt suffered a carriage accident, Lee reports that some witnesses heard him call out, with manly fortitude, "I am not hurt," while others recalled his exclaiming, with petulance and profanity, "This is a damnable outrage." Which was it? Who knows? When Wharton wrote to Fullerton, "You hurt me—you disillusioned me—& when you left me I was more deeply yours," what exactly had he done or said to hurt her? Was it, Lee wonders, "a too obvious sexual approach? a cynical remark?" And when, in the aftermath of whatever it was, Wharton writes to James, who writes back with unusual bluntness, "I move in darkness; I rack my brain," what, Lee asks, had she written him to elicit such a response? The answer went up with her letter in the smoke of the bonfire.

Sometimes the gaps in the record can be maddening. We will never know if Edith was within earshot when her friend Robert Norton, strolling with Berenson in Wharton's garden in the south of France, recited a popular postwar English verse: "Here's to the French / The noblest of races / Who talk with their hands / And fuck with their faces." Alas, some things are irretrievable.

II.

FOR NEARLY half a century, Edith Wharton kept a servant who wrote, after his employer's death, that "for forty-nine years it was my privilege to save her and protect her from household cares, [so] that she could carry on her work in peace." Lee's book is as much about the work as it is about the life that made the work possible. In this respect she departs from Lewis, who put his own critical talent on hold in his biography, confining himself mostly to summaries of Wharton's writing and

sometimes even seeming a little bored with it.

Lee, by contrast, gives substantial readings of every major novel and most of the minor ones. From Wharton's first book, *The Decoration of Houses* (1897), co-authored with Codman, to her posthumously published memoir, *A Backward Glance*, and her unfinished novel, *The Buccaneers*, virtually everything is discussed. Lee pays sustained attention to Wharton's undervalued short stories, and cites also her seldom-read poetry. She makes a valiant effort to recoup Wharton's wartime writings—not only those directly connected to World War I, such as her novels *The Marne* (1920) and *A Son at the Front* (1923), but also such apparently disconnected works as the travel book *In Morocco* (1919) and the novella *Summer* (1917), which takes place back in New England, far from the killing fields. Written during the years when Wharton threw herself into relief work on behalf of the orphans, widows, and wounded of France, these books may seem “deviations,” but they “carried her wartime concerns” and are “shadowed by violence and death.”

With great dexterity, Lee moves back and forth between life and work. She identifies a “sharp in-joke for Fullerton” in *The Reef*, when two lovers carry on their affair in the Hotel Terminus—a coded reference to Wharton’s “bold, agitatedly sexy” poem “Terminus” about sex in a hotel, which she wrote in the aftermath of a secret night with her lover. In “The Last Asset,” the oafish American with restaurant French—“Gassong! L’addition, silver play”—seems a nasty portrait of Teddy. As the novels and the stories scroll by, many such correlations come into view between fictional and factual events or between invented characters and actual persons.

But in tying Wharton’s writings to her life, Lee is careful not to construe them as merely memoir or confession. Thus, although Wharton “poured her feelings about Fullerton” into *The Reef* (1912), the novel is revealed in Lee’s discussion as an intricately crafted piece of literary architecture in which “right and wrong are equivocally handled.” And sometimes Lee deliberately blurs the distinction between experience and writing, as in her brilliant account of how Wharton conducted the affair with Fullerton as if she were experimentally

living a story, watching with a writer’s eye the ebb and flow of passion even as she experienced it.

Any literary biography is inevitably an act of advocacy, although in some cases—perhaps the best known is Lawrence Thompson’s life of Robert Frost—the book can metamorphose from hagiography to demonology as it moves along. That does not happen here. And any literary biographer runs the risk of construing every utterance—a letter, a diary entry, a reported conversation, or a literary work itself—as a datum of equal value for reconstruct-

dignified to ignore than to make a scene about.” (Is that, perhaps, what happened when Fullerton “hurt” and “disillusioned” her?) Though he wanted her approval, F. Scott Fitzgerald regarded Wharton as a retrograde writer who tried to fight “the good fight with stone-age weapons.” As for her own judgment, Wharton regarded *Ulysses* as “a turgid welter of schoolboy pornography” and dismissed *Sons and Lovers* as “botched and bungled.” She admired Mussolini, if not for making the trains run on time, then for improving postal delivery between Italy and France. Her anti-Semitism, while conventional in her social set, was particularly zesty—as in the portraits of Baron Schenkelderff in “The Last Asset” or Mr. Fleischauer in *The Custom of the Country*, or when she remarked of André Maurois that he was “a very bright little Jew ... about as well fitted for lecturing on English poetry to the English as one of my Pekes.”

So Lee has not written a sanitized biography. Instead she has submitted a brief for Wharton as a writer who transcended her caste even as she represented it. This is convincing, up to a point. Wharton knew the limits of her world. She wrote with indignation at its exhibitionistic wastefulness (she had read Veblen on conspicuous consumption), as when she observes in a story how “a fire sparked with that effect of luxury which fires produce when the weather is not cold enough to justify them.” She had a sense of living among enervated people whose males have declined from strong forebears into vaguely androgynous “lounging golf-stocking young men,” as she calls them in “Autres Temps,” and whose females (Lily Bart is a vivid instance) have become as weak and vulnerable as they are decorative

and slender. Wharton’s writing is poised somewhere between aggrieved solidarity with these people and a certain gleeful schadenfreude as, from her literary perch, she watches them sink.

Lee has made a strong case that Wharton was a writer of exceptional alertness to the suppressed anxieties that flow below the surface of polite society. But Wharton tends to write from a spectacular distance, and rarely gives the sort of tour of a character’s consciousness that her friend Henry James provides—sometimes at wearying length but often with incandescent insight. Lee wants to correct the traditional view of Wharton

Was She Justified In Seeking A Divorce?

Why was this American girl forced to leave her brutal Polish husband? Why did Ellen, Countess Alenska, return to New York, seeking to forget? Whispers came all too soon that she had been compromised in the artistic continental society from which she had fled. But in the narrow New York society of the 1870's she was welcomed back, and the whispers of far off Europe ignored, until she and Newland Archer are swept together by mutual attraction, and the old, old question is renewed, shall she create a scandal just because she is unhappy?

All the glamour of the society life of the original Four Hundred is the background for this story, the nights at the opera, the balls, the intimate amusements of the society leaders of the day. Newland Archer's life is spent among them, and Ellen, with her charm of other lands, comes to him as a breath of a new day. But he is engaged to lovely May Welland, a girl of his own circle, and his whole living is firm-rooted in cramped New York. Graphically and with a sure understanding of the moral values of the situation is presented the call of the new things that lure them, these children of New York's Age of Innocence.



THE AGE OF INNOCENCE

By Edith Wharton

America's Greatest Woman Novelist

"Our foremost American novelist."—*Stanton Transcript*.

"Paul Bourget calls her the greatest American novelist."—*New York Sun*.

"A book from our leading novelist's pen is an event."—*Philadelphia Public Ledger*.

"Mrs. Wharton's touch is the deftest, the surest, of all our American manipulators in the novel form."—*The New Republic*.

"Each of Mrs. Wharton's later books has represented a new difficulty mastered."—*Quarterly Review*.

This is a full length novel by the foremost American woman novelist, in strength and breadth of appeal rivals "The House of Mirth." It is entertaining from the opening scene at the Opera in New York to the last pages laid in Paris. The leading characters appear as living human beings against the keen pictures of society, and the book, as a whole, will take its place beside "The House of Mirth" as the outstanding depiction of New York Society.

"The Age of Innocence" represents Mrs. Wharton's art at its pinnacle. All her splendid abilities find their choicest material in this her greatest novel, and in it she has given the world of readers a book that is unsurpassed for entertaining qualities.

\$2.00 net.



The publisher's advertisement for *The Age of Innocence*, 1921

ing the subject's life. If this happens too often, a certain leveling effect can set in and undermine the biographer's critical judgment.

By and large, Lee escapes this risk. Nor does she deny that Wharton was, to many who knew her, singularly unattractive. W. Somerset Maugham (no bargain himself) found her quick to show “frigid displeasure” at anything she deemed beneath her. When Maugham wanted to ask if she liked to read thrillers, she behaved, in his words, like “a woman to whom a man has made proposals of offensive to her modesty, but which her good breeding tells her it will be more

as a follower of James (so did Wharton, who grew exasperated with “the continued cry that I am an echo of Mr. James”), but she strains when she proposes that the influence might also have gone the other way—that “*she* might have influenced *him*: that *Italian Backgrounds*, for instance, had an effect on *Italian Hours*, or that their exchanges on George Sand fed into his long essay on Sand in *Notes on Novelists*.” Wharton was a writer of uncommon subtlety, but if one compares her account of John Durham in *Madame de Treymes* trying to pry the woman he loves away from a scheming French family, or of Undine Spragg in *The Custom of the Country* failing to master the apparatus of Paris society, with, say, James’s rendition in *The Portrait of a Lady* of Isabel Archer awakening through a series of small shocks to the true nature of her husband, or Lambert Strether slowly grasping in *The Ambassadors* the painful austerity of his own life, the contrast does not work to Wharton’s advantage.

LEE OPENS her biography by calling it “the story of an American citizen in France ... a European on a grand scale who left her old home and made new ones for herself ... but who could never be done with the subject of America and Americans.” But finally, how American was Edith Wharton? Lee shows her responsiveness to other American writers, notably Hawthorne: “Ethan Brand” stands in the background of *Ethan Frome* (1911), and *The House of the Seven Gables* feels present in “Bunner Sisters” (written in 1892 but not published until 1916), and Chillingworth in *The Scarlet Letter* is reprised in the icy lawyer Royall in *Summer*. But if Wharton was an American writer in lineage and themes, she was also a writer who recoiled from America. She felt a haughty detachment from her country—much more so than did James, who famously wrote to her, “Profit, be warned, by my awful example of exile and ignorance.... Do New York! The first-hand account is precious.”

When he returned in 1904 to New York after a long absence, James was caught up despite himself (as described in *The American Scene*) in the jostling, roiling, sublimely vulgar city. Uncomfortably astonished, he shuddered at “the great swarming” of New York’s Jews, likening the immigrant in relation to

his new country to “the dog who sniffs round the freshly-acquired bone, giving it a push and a lick, betraying a sense of its possibilities,” though not yet ready to pounce. Yet James also found the immigrant tumult an invigorating spectacle full of promise, and he sounded at times almost like Whitman. Excited by the amalgamation of the old America with the new, he wondered if “the accent of the very ultimate future, in the States, may be destined to become the most beautiful on the globe and the very music of humanity.”

Wharton, who described her visit to New York in 1913 as “a soul-destroying experience,” had no such receptivity. In books such as *The Bostonians* and *The Princess Casamassima*, both published in 1886, James explored reform and radical politics, trying to understand from within the minds of desperate or determined people who craved a new world to be built on some version of democracy. Wharton had no such curiosity. Around the time that James was meditating on the new human landscape of America, she was dismissing it. “The American landscape has no foreground,” she wrote in 1906, “and the American mind no background.” This had been James’s view some thirty years earlier when he went into exile, but by his sixties he was rethinking what he had once thought he knew.

“In recording the present moment,” Lee rightly says, Wharton “is always conscious of how quickly it becomes the unrecapturable past.” With all her clear-eyed sense of the brutality and the narrowness of the pseudo-aristocratic society into which she was born, Wharton was loath to let it go. “I am steeping myself in the nineteenth century,” she wrote to a friend while working on *The Age of Innocence*, “which is such a blessed refuge from the turmoil and mediocrity of today—like taking sanctuary in a mighty temple.” That temple, as we learn from Lee’s book, was a place in which girls from good families were forbidden to read novels until they were married. It was a place in which daughters could not draw down the principal

of their trust funds; and, if they “died without issue,” the balance reverted to a surviving brother. It was a world populated by people who campaigned to have drinking bowls for their dogs placed at strategic spots in the streets of New York, and for whom successful travel

depended on persuading “the deck steward to put your chair in a sheltered position every morning.”

WHAT, FINALLY, did Edith Wharton make of these people? Can she be counted a great writer—a writer, that is, much larger than her accustomed world? Lee first uses the word “great” (she uses such words sparingly) on page 158; some two hundred pages later, writing against the biographical reductionists, she elaborates:

The qualities that make Wharton a great writer—her mixture of harshly detached, meticulously perceptive, disabused realism, with a language of poignant feeling and deep passion, and her setting of the most confined of private lives in a thick, complex network of social forces—were the product of years of observation, reading, practice and refinement, not of a love affair.

Yet even here, Lee does not quite rise to the eloquent advocacy that we find in her biography of Virginia Woolf, of whom she wrote that “she seems to us, now, both a contemporary and a historical figure. This peculiar transitional position, at present occupied by the great early-twentieth-century writers of the modernist movement, makes her seem both close and far. She speaks to us of issues and concerns which are vital to us and are not yet resolved.” Lee takes a stab now and then at making comparable claims about Wharton, as when she calls *The Custom of the Country* (which she ranks as Wharton’s best novel) “truly a tale for our times.” This seems a little forced. The dual terms “contemporary and historical” do not quite fit Wharton, whom Woolf regarded as a writer preoccupied “with English good manners” and “obsessed with surface distinction.”

This book is a powerful rebuttal to that view. It builds on the work of previous scholars—on Lewis’s biography, on Blake Nevius’s study of Wharton’s methods of revision, on Cynthia Griffin Wolff’s psychological insights, and many more. And it comes at an interesting moment in the history of Wharton’s reputation, which was highest in the 1920s, when she was selling well and winning prizes. By the 1930s, her stock was falling, as the claims of modernism took hold and the Depression made her characters and themes seem precious and indulgent. In 1939, not long after her death, Clifton Fadiman, then the books editor at *The New*



Yorker, could write that those who continued to read her did so for reasons of “class fidelity.” In the postwar years, Wharton held her own as a literary worthy—though often paired with James as a lesser disciple—but it was really not until the 1970s, with the surge of interest in women’s studies, that she became a major writer again. This time she came back as an unexpected “Do Me” feminist. The affair with Fullerton and the discovery of “Beatrice Palmato,” a fragment of erotic writing with an incest theme (probably written around 1919), intensified interest in her as a writer about women abused by inattention or exploitation, who are sexual furnaces waiting to be stoked. By the 1990s, helped by Martin Scorsese’s fine film of *The Age of Innocence*—which, as Scorsese discovered, is about high-society people as merciless as any gangster—Wharton had become a popular writer of lush period pieces.

With all these versions of Wharton now behind us, the question is whether interest in her work will now be renewed again, and if so, for what reasons. She is a writer who flatters the self-satisfied rich even as she anatomizes them, by granting them their materialist premise: that the acquisition, the display, and the transmission of money are the primary activities of life. Only rarely does an alternative way of living come into view in her work. In our age of twenty-something i-bankers, when fortunes are quickly made and quickly lost, Wharton may well find a new audience—but will it be more interested in her views of the interior life or of interior decoration? Is she finally a writer who points beyond getting and spending, or a writer nostalgic for the first Gilded Age who shows us, in luscious detail, how it once was done? Hermione Lee has presented the best possible case for the former. The jury in our own gilded age is still out. ♦

ography. It should not be written with a political purpose, or with the aim of shocking for shock’s sake. (That is not revisionist historiography, it is tabloid historiography.)

Now, following the opening of many of the relevant major collections of papers in Israeli and American archives, we are in the throes of a revisionist surge regarding the Six Day War, whose fortieth anniversary has just been marked with a mixture of celebration and anxiety. Both *1967*, by Tom Segev, and *Foxbats Over Dimona*, by Isabella Ginor and Gideon Remez, are explicitly revisionist. Ginor and Remez aim to correct our understanding of a crucial aspect of the origins of the crisis in May 1967, giving a radically new spin to the war that took place the following month, and specifically Soviet behavior during the war; while Segev subjects the war, including its origins and its aftermath, and specifically the question of Israeli behavior during the war, to the full flail of newly released documentation, turning the whole story on its head. Six Day War revisionism is not a purely local emendation of history: in Ginor and Remez’s case, it has important global ramifications, and in Segev’s case, it has deep moral implications regarding the conduct of the Jewish state.

Benny Morris PROVOCATIONS

1967: ISRAEL, THE WAR, AND THE YEAR THAT TRANSFORMED THE MIDDLE EAST

By Tom Segev
Translated by Jessica Cohen
(Metropolitan Books, 673 pp., \$35)

FOXBATS OVER DIMONA: THE SOVIETS’ NUCLEAR GAMBLE IN THE SIX-DAY WAR

By Isabella Ginor and Gideon Remez
(Yale University Press, 287 pp., \$26)

IN ALL MODESTY, I know a thing or two about historical revisionism. The desire to innovate, to surprise, to overthrow conventional wisdom and to subvert the well-worn tale—I, too, have acted on these impulses. And I have no apologies for the disturbances that I caused. In the 1980s, the history of Zionism and Israel sorely required critical review and scholarly emendation. For decades, too much nationalist propaganda had passed without scrutiny and been imbibed by Israeli society.

The official history—from the outlandish, skimpy beginnings of Zionism in the 1880s, when a handful of poor Jewish settlers struck roots in a semi-arid patch of ground ruled by hostile Muslim governors, through the succession of victories over much larger and po-

tentially far more powerful surrounding Arab states—was a tale of triumph and glory, veritably miraculous in concept and in experience. This history seemed, to myself and to some others, to call out for cool, objective study—and, in the process, to be pricked and deflated. In the course of the 1980s and 1990s, large themes and central episodes of the hallowed narrative were revised and retold with some persuasiveness and success, if not to universal approbation. Tom Segev had a small part in this revisionism with his *1949: The First Israelis*, which appeared in English in 1986, but the book vanished without leaving much of a trace on Israeli scholarship or Israeli consciousness, because in tackling too many themes—the “Sephardi Problem,” the religious-secular divide, the Israeli-Palestinian conflict—he contributed significantly to none.

But not all revisionism is good. Historical revisionism should aim at presenting a clearer and more accurate picture of the past than that served up by the previous generation of historians—a more truthful picture of what happened, and why, and how; of what motivated the protagonists and what were the reasons for, and consequences of, a given action or episode. Good revisionist historiography is no different from good histori-

I WILL BEGIN with Ginor and Remez—who write that they “fell into this role of historical revisionists like Alice into her rabbit hole”—because they have written the more important book, if proximity to the truth is a measure of importance. One of the abiding mysteries of the Six Day War is why, during the second week of May 1967, the Soviets officially and persistently, and through a host of channels, misinformed the Egyptians that Israel was massing troops, ten to twenty brigades, to invade Syria and conquer Damascus and topple its (pro-Soviet) Baathist regime. The Soviets knew this to be a lie, as Ginor and Remez demonstrate. Indeed, in mid-May Israel’s prime minister, Levi Eshkol, repeatedly invited Dmitri Chuvakhin, the Soviet ambassador to Israel, to inspect the border area for troops concentrations. Chuvakhin declined, remarking that “it isn’t a diplomat’s assignment to tour frontiers and see whether forces are being massed there.” The Egyptians also knew that this was a lie. They sent their army chief of staff, Muhammad Fawzi, to Damascus to check, and he reported back to Cairo,

Benny Morris’s new book, 1948: A HISTORY OF THE FIRST ARAB-ISRAELI WAR, will be published by Yale University Press.

on May 14 or 15, that “there was no sign of Israeli troop concentrations and the Russians must have been having hallucinations.” The Syrians also knew it was a lie; and so did UNTSO, the U.N. truce force that supervised the borders.

Yet the Soviet move set the cat among the pigeons, leading directly to the sequence of Egyptian moves that resulted in the war. Starting on May 14, Egypt sent into the Sinai Peninsula four army divisions, undoing the de facto demilitarization of the peninsula that had prevailed since 1957. On May 16–18, the Egyptians expelled UNEF, the U.N. peacekeeping force deployed along the Egyptian side of the border between Sinai and the Negev. And on May 22–23, they closed the Straits of Tiran, at the northern end of the Red Sea, to Israeli shipping and aircraft, thus substantively cutting Israel off from Africa and Asia.

In 1957, the United States had given Israel a guarantee that the straits would remain open. And so, at a stroke, Egypt’s president, Gamal Abdel Nasser, had canceled Israel’s three major accomplishments from the Sinai-Suez War of 1956. Each of his steps was a clear *casus belli*—the remilitarization of a buffer area, which threatened the south of Israel and forced it to mobilize its reserves, the bulk of the Israel Defense Forces (thus partially paralyzing the economy); the removal of the U.N. tripwire that afforded Israel sufficient time and notice to mobilize should Egypt intend war; and the closure of a vital international waterway and lifeline.

Nasser capped these moves, on May 30, by signing a defense pact with Jordan’s King Hussein that subordinated Jordan’s army to the Egyptian high command and provided for the deployment of Egyptian troops on Jordanian soil. (Two battalions of Egyptian commandos were immediately positioned in the West Bank.) And then, after signing a defense pact with Egypt, the Iraqis sent their Eighth Brigade into Jordan—but, tardy as always, the Iraqis were interdicted and bombed by the Israeli Air Force on the afternoon of June 5, before they managed to cross the river and join the fray.

Nasser’s actions were preceded by rising tension along the Israeli-Syrian border, which, during the previous two years, had seen the start of Fatah guerrilla-terrorist raids against Israel originating in refugee camps in Syria (though usually carried out across the Jordanian-Israeli and Lebanese-Israeli frontiers); and Syrian efforts to divert the headwaters of the Jordan River

(which, along with the Sea of Galilee, is Israel’s main water resource); and intermittent Syrian harassment, with small arms and artillery fire, of Israeli farmers and border kibbutzim. During the first months of 1967, Israel retaliated a number of times—six Syrian MiG-21 fighters were downed around Damascus in April 1967—and Israel’s military and political leaders threatened Syria with further reprisals if it persisted.

THE CONVENTIONAL wisdom had been (and still is) that Moscow “warned” Egypt of the massing of Israeli troops along the Syrian border in order to push the Egyptians into making a show of strength in Sinai that would deter the Israelis from attacking their Syrian allies. The Russians had not intended war. But the muscle-flexing got out of hand. Nasser, the eternal gambler (in 1956 he had nationalized the Suez Canal, bringing the Anglo-French invasion down on his head, and in 1963 he had intervened with his army in Yemen’s civil war, suffering a bloody nose), pushed his army into Sinai; and, encountering no Israeli or international response, he ordered out the U.N. peacekeepers. Still there was no response—so he closed the straits. By then Nasser had gone too far to reverse course, at least without a loss of political and strategic prestige; and after a two-week delay, in which Israel allowed the diplomats and Washington time to resolve the problem but nothing happened, the IDF unleashed its assault on Egypt.

Ginor and Remez argue that the war was not a result of Egyptian (and Soviet) miscalculation, but the deliberate outcome of Soviet (or Soviet-Egyptian-Syrian) design and policy. As Israel’s nuclear weapons project at Dimona neared fruition, the Soviets (and Egyptians) grew increasingly alarmed. Nasser had already declared back in 1960 that if Israel were to achieve nuclear weapons capability, he would launch a pre-emptive attack. Now, in May 1967, the Soviets decided to destroy Dimona. But they would do so not out of the blue (as the Israelis later did with Saddam’s nuclear reactor outside Baghdad in 1981). They would instead provoke Israel into attacking Egypt (and Syria), thus setting the stage—and providing cover and political justification—for a pinpoint strike on Dimona.

They argue also that the Soviets and Egyptians had conceived the “Grechko-Amer Plan” (named for Andrei Grechko, the Soviet defense minister, and Marshal Abdel Hakim Amer, Egypt’s vice president and defense minister), which was to include the initial provocative Egypt-

tian push into Sinai, in November 1966, shortly after the signing of the Egyptian-Syrian defense pact. The Egyptians and the Soviets believed that the Egyptian army, properly deployed, would manage to contain and to halt the initial Israeli attack in Sinai, and they would then follow it up, after the world branded Israel the aggressor, with the counterstroke that would include Dimona. The Arabs, they believed, would win, and Israel might well go under. “The goal of eradicating Israel, while never formally stated as official policy, was widespread in Soviet thought and parlance,” Ginor and Remez write. Chuvakhin reportedly told one Israeli communist interlocutor that “the war will last twenty-four hours only and no trace of the state of Israel will be left.” In addition to destroying Dimona from the air, the Soviets, according to Ginor and Remez, planned small amphibious landings on Israel’s Mediterranean coastline.

But the Soviet (or Soviet-Egyptian-Syrian) plan came a cropper because Israel’s opening air strike against the Egyptian Air Force on the morning of June 5, code-named Operation Moked, was so devastating that the hours and days that followed failed to provide the cover (and the bases) that were needed for a Soviet attack on Dimona. After 11 a.m. on June 5, there were no functioning Egyptian air bases, and by the end of day one—or, at the latest, day two—of the war, there was nothing much left of Egypt’s ground forces either. The Soviets dropped the plan.

THE PROBLEM with Ginor and Remez’s thesis is that it rests on very flimsy evidence. More bluntly, they have no real documentation to back it up. They may well be right, but they do not prove their case. They argue, correctly, that the relevant Soviet documentation—from the KGB, the Communist Party presidium, the GRU, the Soviet Air Force and Navy—is closed; and they add, for good measure, that it is quite possible that the whole design may well never have been recorded on paper. (I doubt that: modern armies cannot march against foreign countries, nor can air and naval fleets deploy to attack them, without a great deal of political, logistical, intelligence, and operational paperwork.) Almost the only backup that Ginor and Remez have is a handful of Soviet memoirs or interviews with former soldiers that allege Soviet preparations for ramshackle, two-bit commando landings (by units including ships’ “cooks and medics,”

without maps or specific targets) on Israel's shores, and some circumstantial evidence that may or may not be relevant (such as the Soviets' reinforcement of their Mediterranean fleet in the months before the war).

But the "almost" is important. Ginor and Remez do adduce one (almost) hard and troubling piece of evidence: aircraft flying out of Egypt did, on May 17 and May 26, fly over the Dimona reactor site on photography and intelligence-gathering missions, and Israel's Hawk anti-aircraft batteries and Mirage III fighters failed to intercept, catch, or shoot down the intruders. The planes flew too high and too fast; and this fact, combined with several additional snippets of information, leads Ginor and Remez to conclude, persuasively, that at least some of the intruding aircraft were MiG-25 Foxbats, advanced aircraft that only Soviet pilots could have flown—and, let me add, that only Soviet ground crews could have serviced and only Soviet ground control officers could have directed to target. These overflights, along with Amer's order to the Egyptian Air Force to attack Israel, including Dimona, on May 26 (an order immediately rescinded by Nasser), caused consternation, almost panic, in the Israeli General Staff and Cabinet.

Ginor is a Ukrainian-born researcher who immigrated to Israel in 1967; Remez, her spouse, is an Israeli radio journalist. They stress that their book "has no present-day political agenda"—though, curiously, they compare Russia's "dilemma" in 1967, when facing Israel's imminent acquisition of nuclear weapons, with that faced by "the United States in 2006" when confronting Iran's nuclear ambitions. Still, this book goes a way toward further blackening the image of the Evil Empire in the heyday of the cold war, portraying a mendacious regime that would stop at nothing to instigate a proxy war so as to achieve its military and political purposes.

GINOR AND REMEZ state, almost as an aside, that "our work does confirm that the Six-Day War was definitely not premeditated by Israel for expansionist purposes." This has seemed obvious to most reasonable observers almost since the guns of June 1967 fell silent. But perhaps the point does require reiteration, because it is precisely one of Tom Segev's contentions in 1967 that the war was a result, in large part, of Israeli expansionist drives and ideologies, religious and secular. (This argument was recently heard

also in the punditry that was provoked by the fortieth anniversary of the war.) It was also, Segev further argues, a result of an Israeli economic crisis, a downturn in immigration, social turmoil, a weak political leadership unable to oppose muscular generals, and a pervasive paranoia—which is not the same thing as a legitimate fear—bred by the memory of the Holocaust.

Segev's book appeared in Hebrew almost two years ago, and the English-language version contains several additions, though no substantive alterations that I could detect. In both versions, it is Segev's contention that Israel—more precisely, Israeli "insanity"—was to blame for the Six Day War:

It was not Nasser's threats ... but the quicksand of [Israeli] depression.... It was the ... feeling that the Israeli dream had run its course. It was the loss of David Ben-Gurion's leadership ... coupled with the lack of faith in Eshkol.... It was the recession and the unemployment; the decline in immigration and the mass emigration. It was the deprivation of the Mizrahim [Jews from Arab countries], as well as the fear of them.... It was the boredom. It was the terrorism; the sense that there could be no peace.

Here Segev seems to be projecting 2000–2007 onto 1967. "All these feelings welled up in the week[s] before the war, sweeping through the nation in a tide of insanity.... So the ideas [for a diplomatic solution] being put forth ... by more stable minds in Israel, Washington, and New York never had much of a chance."

This portrait of Israel in 1966 and early 1967 is skewed. The economic downturn was a minor recession, nothing like the American or German depressions. (Indeed, the early 1960s saw the establishment of the foundations of the modern industrial economy.) There was greater immigration to Israel than emigration. The Sephardi-Ashkenazi gap, while extant, was hardly in crisis mode (there were no riots to compare with 1959 or the early 1970s); and the same applies to the religious-secular divide—hardly a period of violence or fireworks. Palestinian terrorism was meager and trivial compared with the standards set in the 1970s and 1990s. The country's political leadership, while not flamboyant or "great," was certainly composed of capable and honest people. Israelis were no more "bored" then than in any other time. In other words, the picture that

Segev paints of Israel's internal condition in 1966 and early 1967, with which he tries to "explain" the war, is essentially false. Segev, a journalist, is overly impressed by newspaper headlines.

And there was also, he instructs, the expansionist mentality of Zionism. "Many Israelis refused to give up the original Zionist dream, hoping for the day when Israel would embrace both sides of the Jordan [not just all of Palestine from the Mediterranean to the river]," Segev tells us in the beginning of his book. "Some Israeli politicians, including Ben-Gurion, as well as some IDF generals did not rule out military action to expand the state over the Green [1949 armistice] Line[s]." A few pages later we learn that "while war with Egypt [in June 1967] was the outcome of Israel's demoralization and a sense of helplessness, the fighting with Jordan and Syria expressed a surge of power and messianic passion."

And finally there was the bellicosity born of the memory of the fate of Europe's Jews. (Some years ago Segev wrote a book called *The Seventh Million*, about Zionist and Israeli attitudes toward the Holocaust.) It is true, as Segev argues, that Israelis—indeed, Jews everywhere—were traumatized by the Holocaust (how could they not have been?), and that in those waiting days between May 15 and June 4 many Jews thought there would be thousands of casualties

RESEARCH ASSOCIATE/PERSONAL ASSISTANT

New York City—Highly intelligent, resourceful individuals with exceptional communication skills sought to undertake research projects and administrative tasks for one of Wall Street's most successful entrepreneurs. We welcome applications from writers, musicians, artists, or others who may be pursuing other professional goals in the balance of their time. \$90-110k/yr to start (depending on qualifications). Resume to: gen8R@spsfind.com

Open
UNIVERSITY

On The New Republic's own
ivory-tower blog,
classes are in session 24/7

tnr.com/blog/openuniversity

in the war and feared a genocidal slaughter. (As it turned out, Israel suffered less than eight hundred dead, several dozen of them civilians.) With the benefit of hindsight, Segev feels able to argue that Israeli fears were irrational, indeed paranoid: the Arabs were weak and Israel was strong, and Nasser and the others did not really mean it when they spoke of throwing the Jews into the sea.

And yet Segev himself provides the counter to this when he quotes Ben-Gurion: "None of us can forget the Nazi Holocaust, and if some of the Arab leaders, with the leader of Egypt at their head, declare day and night that Israel must be destroyed ... we should not take these declarations lightly." (Later Segev offers a counter to this counter by quoting King Hussein: "With the Arabs, words don't have the same value as they do for other people. Threats mean nothing." So, in the end, Israel should not have taken Nasser's threats, or moves, seriously?)

IN SEGEV'S VIEW, to understand the Six Day War one needs to understand more than the "diplomatic and military background. What is needed is deep knowledge of the Israelis themselves." Not of the Arabs—of Nasser and his generals, who sent in their tank divisions and closed the straits in defiance of the agreements of 1956–1957; or of the Jordanians, who ignored Israeli appeals on the morning of June 5 not to open fire or, later, to stop firing artillery into downtown West Jerusalem, the suburbs of Tel Aviv, and the Ramat David air base in lower Galilee (the IDF began responding only at around noon, after Jordanian troops stormed the U.N. headquarters compound in southern Jerusalem); or of the Syrians, who rained down shells on Israel's Jordan Valley settlements starting on the evening of June 5 (the IDF assaulted the Golan on June 9–10). No, there is no need to look at or understand Nasser, Hussein, or the Syrian leadership—or the hundreds of thousands of Arabs who took to the streets of Cairo, East Jerusalem, Damascus, and Baghdad shouting "*Idhbab al Yahud!*", "Slaughter the Jews!"

For Segev, Arab politics and Arab society have no bearing upon the proper understanding of the origins of the war. In 1967, the Arabs are mere props—mindless, thoughtless, motiveless extras, and in no meaningful sense historical agents. Segev expends hardly a line on them. There is no trace of any effort to get into their heads or under their skin. The book has massive footnotes, with thousands of references (almost every

footnote refers to half a dozen or a dozen or more sources, which is itself annoying to anyone wishing to trace the origin of a quote), but none, as far as I could tell, refers to an Arab source. Granted, the Arab states' archives are all closed, since they are located within the sway of dictatorships—but this does not entirely excuse Segev's delinquent lack of interest in the Arab side of the story. There are Arab memoirs and newspapers; and there are living Arab politicians, officials, and officers from 1967 who might have been willing to talk. And yet all the references are to Israeli and, to a lesser extent, American sources. It is almost as if Israel fought the war with itself.

Even when Segev briefly mentions Nasser and his actions between May 14 and May 23, it is, curiously, not what Nasser thought and did that is presented, but what Israelis reported and thought about what Nasser did. The reader first encounters the Egyptian thrust into Sinai thus: "[IDF Chief of Staff Yitzhak] Rabin had come by to tell the prime minister [Levi Eshkol] that information from Cairo indicated the Egyptians were moving forces into the Sinai Desert.... Eshkol was surprised." The only Arabs who actually make an appearance (again, via Israeli sources) are the Palestinians, after the West Bank and Gaza Strip have been conquered. But here, too, the focus is on Israel and Israelis: Segev cares only about what Israelis saw and thought and proposed and did about or to these Arabs.

Some Israelis—David Kimche, Arie Lova Eliav, Dan Bavli, and others—did try to formulate some type of two-state accord with Palestinian notables or to initiate a rehabilitation of refugee camp dwellers, but without success. Others—this is one of the book's more illuminating passages—worked on plans for transferring Arabs out of the West Bank and Gaza to South America or elsewhere. Segev devotes long pages to describing the attempted destruction of the town of Qalqilya and the expulsion of villagers from the Latrun Salient and the western edge of the southern West Bank. Some of this material, including many of the references, is new.

The picture of 1967 left with Segev's reader is of trigger-happy, mindless Israeli politicians, bureaucrats, and generals cynically and hysterically seeking a *casus belli* to enlarge the state. Page after page, quote after quote, this is the picture. No, that is not quite fair: in throwaway sentences, Segev also provides his readers with an inkling of the truth. These sentences contain the essence of the story of the period be-

tween May 14 and June 4. Describing the Israeli Cabinet meeting on May 23, Segev writes: "But most of the ministers were loath to take action. Minister of Health Israel Barzilai suggested waiting two or three weeks. Avraham Shapira maintained that Egypt did not want war. They all agreed that closing the Straits was 'an act of aggression' and decided to send Foreign Minister Eban to the United States." So Israel did wait "two weeks." Those are not the animadversion of trigger-happy people.

AS FOR ISRAELI expansionism, it is true that after the war of 1948–1949, many Israelis, including Ben-Gurion and most of his generals, felt that a great opportunity had been missed and that it would have been better to have ended the war with the country's border on the Jordan River. (Their reasons were more military and strategic, and less ideological and historical.) But over the following years, an overwhelming majority of Israelis came to accept that war's results, including its strategically problematic borders, and restrained any expansionist inclinations. By 1967, only the messianic-religious and the secular far right dreamed and talked about expansion to the West Bank, or Judea and Samaria, the historical heartland of the Jewish people and faith. For the vast majority of the citizenry, led by the successive Mapai-dominated governments, such thinking was alien. Many examples can be offered in proof of this claim. Consider only this exchange, published in early May 1967 in an Israeli newspaper, between the expansionist right-winger Geula Cohen and the Grand Old Man, David Ben-Gurion.

Cohen: "What are the borders of my homeland?"

Ben-Gurion: "The borders of your homeland ... are the borders of the State of Israel, as they are today."

(After the war, incidentally, Ben-Gurion advocated complete Israeli withdrawal from the territories, except from East Jerusalem, though occasionally he also spoke covetously of the Golan Heights.)

Yes, the IDF general staff—certainly after May 22–23, when Nasser closed the Straits of Tiran—pressed for war. By the end of the month they were even chafing at the bit, arguing that every day's delay would multiply the number of Israeli dead. But their political bosses, the Cabinet and the prime minister, refused to knuckle under. For almost three weeks, from May 15 to June 4, the politicians—

led by Eshkol—held out, hoping against hope that war would be averted; that the Americans or the United Nations would manage a diplomatic solution or that an international flotilla would somehow force open the straits and force Nasser to back off. The full story of the Israeli side in those unbelievably tense weeks is of a democratic polity under external military siege, feeling gradual asphyxiation but firmly under the control of the political echelon, which was doing its damndest, in the face of mounting Arab provocation, to stave off war.

And the picture is similar in microcosm—this is apparent even from Segev's book—regarding the conquest of the West Bank and Jerusalem. For long hours, while the Jordanians, unprovoked, were shelling Jerusalem, the Israeli Cabinet held off on unleashing the IDF against the Hashemite kingdom. And for two days it deferred and delayed, contrary to military logic, the decision to conquer East Jerusalem, with the Old City and the Temple Mount at its heart. Israel went to war reluctantly and it conquered the Palestinian territories reluctantly. It won decisively, to be sure; but that decisiveness was owed to Arab weaknesses on the ground. And in the end, even the Golan Heights was almost not taken. The IDF Northern Command and the Jordan Valley kibbutzim lobbied and lobbied for Israeli military action in the north on June 5 through 8—not because they coveted the tracts of land on the Golan, as Segev would have it, but because they were sick of the intermittent shelling they had suffered at Syrian hands during the previous decade—and still the Cabinet, including Defense Minister Moshe Dayan, held off. It was not until June 9 that Dayan gave the green light. (It appears that he was deterred during the war's first four days by the fear of Soviet intervention, and also by the shortage of available units to take the Golan. But the fact is that he held off.)

It is true that, following the war, an expansionist messianic spirit gripped much of the Israeli population. The deep fear of catastrophe and slaughter was replaced by an overwhelming elation, which translated for many into a sense that Israel had been given a divine warrant to expand its borders. The consequences of these dangerous enthusiasms are now well known. But as a historical matter, it is worth noting that on June 19 the Israeli government secretly offered the Syrians the return of the Golan Heights in exchange for peace (and a demilitarized Golan), and offered the Egyptians the whole Sinai

Peninsula (demilitarized) in exchange for peace. Of this, Segev writes: "Israel thus created the impression that it had offered to return the territories in exchange for peace." He is, of course, right that Israel failed to offer to return the West Bank and the Gaza Strip to Arab sovereignty. The Israeli Cabinet was deadlocked about the fate of these territories. But to dismiss the Israeli offer—to two states that had just in effect tried to destroy it—as mendacious or meaningless is absurd. It is also worth recalling that the Israeli offer and its rejection by Cairo and Damascus were in short order followed by a terse, comprehensive pan-Arab response at the summit in Khartoum—the famous "Three No's": no recognition, no negotiation with Israel, no peace.

Again, a wild, somewhat mindless expansionist spirit did overcome the Israelis after the victory, with religious extremists calling for the destruction of the two mosques on the Temple Mount and their replacement with the Third Temple. Ben-Gurion proposed pulling down the Old City's walls. And the government immediately destroyed Jerusalem's small Maghrebi Quarter to make way for a large plaza in front of the Wailing Wall. Within weeks, the government began settling parts of the West Bank and the Golan Heights, setting in motion the first wave of the vast settlement venture that implanted, within four decades, more than 400,000 Israelis in the West Bank and the Jerusalem area. The war certainly triggered an expansionist, and even millenarian, upsurge; but the war was not prompted or preceded by one.

One could argue that after defeating the Jordanian army and after Khartoum, Israel should immediately and unilaterally have withdrawn from the West Bank and restored it to Hussein's rule, and perhaps done something similar with the Gaza Strip and Sinai and the Golan Heights (as perhaps the Americans should have done after toppling Saddam Hussein in Iraq in 2003), though the immediate return of the Sinai Peninsula would have given away the card that proved necessary for trading land for peace with Egypt in 1979. But to argue, as Segev does, that Israel, locked in battle with the Egyptians in the south, should have refrained from going into the West Bank from which the Jordanians were shelling Israel's cities (and from which further attack by Iraqi and Egyptian troops was imminent) makes no

sense. It is pure ahistorical thinking. Segev declares that "Israel could have responded by defeating the Jordanian army without taking the West Bank and Jerusalem." Really? Perhaps by carpet-bombing and massively shelling the West Bank and Jerusalem? Would Segev have later approved of such actions, which would have resulted in thousands of civilian casualties? (As it happened, the Israeli conquest of the territory caused very few civilian casualties.)

SEGEV'S 1967 IS studded with such politically correct posturing, and riddled with perverse and high-minded asides and aphorisms. Consider this one: the struggle to throw off the "various restrictions" under which Israel's Arab minority lived after 1948 "was a civil rights cause, not unlike the campaign against racial discrimination in the United States." "Not unlike"? Surely there is a difference. Israel's Arabs were part of a people that had launched a war to destroy Israel in 1948 and continued guerrilla and terrorist warfare against Israel during the following decades. Is this really comparable to the plight of the African Americans? Is Africa besieging the United States and engaged in a war against it, with a putative African American fifth column within? The analogy is ridiculous. And one shouldn't forget that while suffering certain types of discrimination and enjoying certain "affirmative" benefits—they do not need to "waste" three years of young adulthood in military service—Israel's Arabs do enjoy full rights of citizenship (voting rights, election to the Knesset, an Israeli Arab sits in the Cabinet, and so on).

The book's final two hundred pages, covering the war's aftermath, contain some wonderful passages. Segev devotes five pages to the story of the influential book *Siah Lohamim*, or *The Talk of Soldiers* (which appeared in abridged form in English in 1971 as *The Seventh Day: Soldiers Talk About the Six-Day War*), in which some 140 kibbutznik veterans of the fighting discussed, in group interviews or conversations, their experiences and their moral repercussions.

It was most certainly not a victory album, with which Israel was awash within weeks of the war. The young Amos Oz co-edited the book. The soldiers spoke of fear, of death and mutilation, of the horror and pain of war. The book, a major best-seller, sold



100,000 copies in Hebrew and was received, as Segev rightly notes, as an “authentic document.”

But that is not the whole of the tale. Using research by a young scholar at Tel Aviv University, Segev describes how the original transcripts were altered and censored by the editors; how graphic descriptions of atrocities against Arabs were deleted; how expansionist meditations by sons of Palmach commanders from the 1948 war were omitted; how messianic reveries by religious kibbutzniks were left out. Also deleted were veterans’ references to orders to shoot wounded soldiers or civilians and comparisons between Israeli and Nazi behavior. In short, the editors managed to create a “candid,” moving, liberal anti-war text that bore only a partial resemblance to what was actually said in the original conversations.

But apart from the descriptions of various aspects of the war’s aftermath, 1967 is one vast, tendentious historical misjudgment. Unfortunately, this has become one of Segev’s calling cards (alongside great readability). Examples could be multiplied. In his previous book *One Palestine, Complete*, a history of the British Mandate, Segev wrote of the origins of the Balfour Declaration of 1917, in which Britain expressed support for the creation in Palestine of a Jewish “national home”: “The declaration was the product of neither military nor diplomatic interests but of prejudice, faith, and sleight of hand. The men who sired it were Christian and Zionist and, in many cases, anti-Semitic. They believed the Jews controlled the world.” In short, first and foremost, according to Segev, the declaration was a product of British anti-Semitism. Most historians would say—along with what Lloyd George and Balfour themselves said, repeatedly—that the declaration was a product of the philo-Semitism of most of the Imperial War Cabinet members (including Jan Smuts, Lord Milner, Balfour, and Lloyd George), and also, more coldly, of British imperial interests.

Or consider *The Seventh Million*, in many ways an important book, full of valuable insights into Israeli and Zionist history. At the end of its second chapter, for example, Segev explains why and how three million of Europe’s pre-World War II nine-million-strong Jewish community survived the war. “Most”—I am translating from the Hebrew edition—“were saved as a result of Germany’s defeat in the war, some thanks to help from various governments and institutions ... and several thousand in each

country by good people, righteous gentiles. ... Only a relatively small number from among the survivors owed their lives to the redemptive efforts of the Zionist movement.” A heavy accusatory cloud hangs over this sentence (and others like it), the implication being that the Zionist movement did not do all it could have done to save Europe’s Jews and that, had it done so, more, perhaps many more, would have been saved.

This is nonsense. Various Zionist organizations did try to lobby the combatant Western powers to do more—to bomb Auschwitz, to deal with Hitler—but to no avail. America and Britain were focused on winning the war and destroying the Nazi regime, not on saving Jews. The only branch of the movement with any real power was the Yishuv, but it, too, lacked any capability to project power into Nazi-occupied Europe and, in any case, under British mandatory rule it lacked any possibility of independent military action, in the circumstances of 1941–1945, outside Palestine. So in fact it had no capacity

to save European Jews—though it symbolically sacrificed a dozen parachutists, who were dropped into Europe, to demonstrate that it at least cared. To imply, or even to hint, that the Yishuv could have saved Jews but chose not to save them is cheap sensationalism, and testifies to an astonishing lack of judgment and a deep desire to blacken the reputation of the Yishuv’s leadership.

So there is revisionism and there is revisionism. Isabella Ginor and Gideon Remez’s book opens a door for further research. Its thesis deserves to be beaten like bushes by hunters outing their prey—and the prey will indeed be trapped, one way or another, at the moment the Russian archives open the relevant files. And if what the authors suggest is true, the Six Day War will end up illumined in a completely fresh light. As for Tom Segev, his book points readers and scholars in no worthwhile direction. Its argument is not merely wrong; it also makes a small contribution of its own to the contemporary delegitimation of Israel. ♦

Nathan Glazer

THE MOSAIC PERSUASION

ROBERT MOSES AND THE MODERN CITY: THE TRANSFORMATION OF NEW YORK

Edited by Hilary Ballon and
Kenneth T. Jackson
(W. W. Norton, 336 pp., \$50)

FOR A LONG TIME, those of us who follow the fate of New York City—its sons and daughters scattered far and wide, distinguishable by their regret that *The New York Times* does not include its “Metropolitan” and “Real Estate” sections in issues distributed beyond a hundred miles or so from the city—have waited for the “counter-Caro” book. That book would be the other book on Robert Moses, putting his achievements in reshaping New York City and its region in somewhat better or fairer perspective than Robert Caro did in his monumental tome *The Power Broker: Robert Moses and the Fall of New York*, which appeared

Nathan Glazer is the author, most recently, of FROM A CAUSE TO A STYLE: MODERNIST ARCHITECTURE’S ENCOUNTER WITH THE AMERICAN CITY (Princeton University Press).

in 1974. When I was editor of *The Public Interest*, I used to urge young writers interested in New York City to consider an article or perhaps even a book on some aspect of the career of Robert Moses, and his impact on the city, that would complicate the dark and Manichean portrait painted by Caro.

It was easy in those days to associate Robert Moses with the “fall” of New York City, as Caro did. Jane Jacobs, Moses’s great antagonist, who was already influential among observers and analysts of the city when Caro published his book, had in *The Death and Life of Great American Cities* also lamented the “fall” of New York. And even those who better appreciated Robert Moses’s achievements could not easily separate New York City and the idea of decline. In 1985, Roger Starr, a wise and knowledgeable observer of the city who had served as housing commissioner in its darkest days and had risen to the editorial board of *The New York Times*, titled his own book *The Rise and Fall of New York City*. Novelists and film-makers were especially hard on New York. So was it not likely that the city’s awesome parks commissioner of the 1950s and 1960s (even his title had

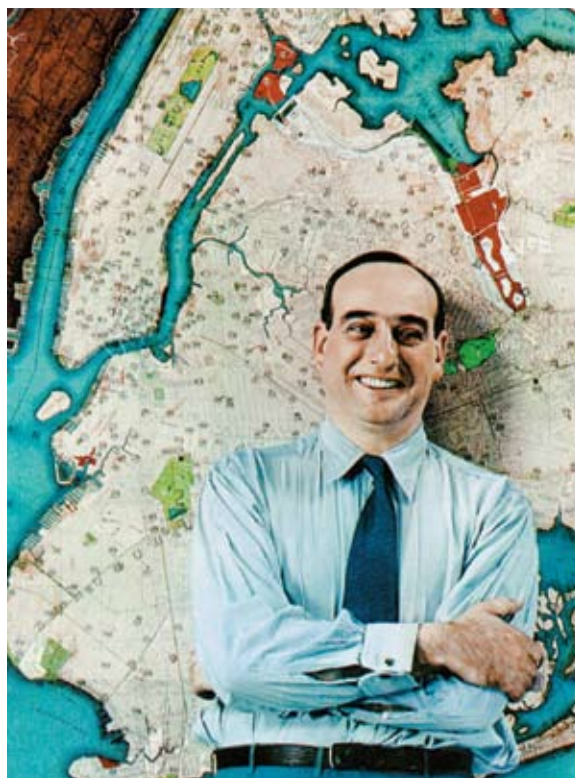
the Orwellian ring of an official wielding enormous power behind a modest title) bore responsibility at least in part for the decline and the fall?

Caro's book appeared while Moses was still alive—he died in 1981—and when New York was not in good shape, losing its manufacturing and its role as a major port; struggling with the assimilation of a great wave of new, poor migrants; afflicted with rising crime rates; engaged in endlessly reforming a troubled school system; disturbed by serious racial conflict; and on the eve of a financial crisis that brought the city close to bankruptcy. And in those days Moses was remembered best—perhaps he still is—for having tried to drive an expressway across Lower Manhattan through Tribeca (it wasn't called that then), Chinatown, Little Italy, SoHo, and the Lower East Side, and another major road through Washington Square; and for battling mothers who were trying to protect a playground from being bulldozed for parking for the upscale restaurant Tavern on the Green; and for leveling great sections of the city for housing developments and for Lincoln Center. Did all this contribute to the decline of New York City?

But New York is on the rise again, and it has been so for a while. Now a different question is begged. Shouldn't we have to ask whether Moses and his legacy played any part in this recovery? Even a reader of Caro's devastating work might have been given pause in judging Moses too harshly if he had looked at its opening map of New York, titled "Landscape by Moses," which shows how much of the city we know today was built by him, and how unimaginable the city would be without all this: the parkways and expressways entering the city (the Saw Mill River, the Bronx River, the Hutchinson, the Grand Central, the Northern State, the Southern State, and more), the bridges and tunnels that are major gateways and connections (the Henry Hudson, the Triboro, the Whitestone, the Throgs Neck, the Verrazano, the Brooklyn-Battery Tunnel), and the Hudson River parks and parkways, which, along with the George Washington Bridge (not the work of Moses, but of the Port Authority of New York and New Jersey), make the most magnificent entry to the city. There are the grand beach developments (Jones Beach, Jacob Riis, Orchard Beach), the hundreds of playgrounds that dot the map, the parks

newly built or restored—Flushing Meadows, Central Park, Prospect Park. And Caro's map also directs the reader, in a legend at its side, to the United Nations Headquarters, Lincoln Center, Co-op City, Shea Stadium....

Even Robert Caro, as the map I have just described indicates, was not entirely of one mind on Robert Moses. Nor are the creators of three exhibitions about Moses's work in New York City this spring (at the Museum of the City of New York, the Queens Museum of Art, and Columbia's Wallach Art Gallery), or the editors and writers of this excellent book that has been published concurrently with them. Indeed, they are



Robert Moses, 1938

interested—and rightly so—in redressing the imbalance. What we have in these shows and in this book is a responsible effort to place Moses in his time, to record all of his work in New York City carefully and critically (his substantial achievements in the rest of New York state and in particular his remarkable work on Long Island are not included). Responsible, but by no mean adulatory: Moses does not escape criticism for projects and proposals that were disastrous, or would have been disastrous if realized.

The Moses map does not include, crowded as it is, the remarkable monumental swimming pools with their as-

sociated grand entries and bathhouses that sprang up in the city, a new one each week, in the summer of 1936. No one has matched Moses and his organizations in the scale of their work and also in the speed of their building, often under budget and completed earlier than scheduled. Bryant Park, behind the New York Public Library, was "four acres of mud and dirt," according to *The New York Times*, when Moses was appointed parks commissioner in January 1934. Within a month, a competition for a redesign had been launched, a winner selected, and hundreds of federally funded relief workers were hired and at work. The park re-opened with a classic design on September 14, 1934. It all took nine months. The design served until New York fell on hard times in the 1970s; its reconstruction into the park we have today took four years.

The program for magnificent swimming pools in crowded areas was announced in July 1934, and by the summer of 1936 the pools were opening to the public. Large color photographs of the huge swimming pools and their associated buildings were the most impressive images to be seen in the three exhibitions on Moses. They were unexampled works for the poor, and most of them are still operating; and they direct us to think of the fine landscape architect Gilmore Clarke and the accomplished architect Aymar Emury II who worked with Moses throughout much of his career. These early works by Moses were economical, but with hints of monumentality and grandeur, evoked in brick and stone. They remind us of what one might call the WPA style, which was just about the last style of public building in the United States that used decorative elements. Clarke and

Embury are given full credit in the book accompanying the exhibits, and some of the huge photographs of the pool buildings by Andrew Moore in the show at the Queens Museum of Art are reproduced in it, but not on the same dazzling scale.

ONE LOOKS BACK at that map, "Landscape by Moses," and if one asks what has been added in the fifty years since Moses lost power, one has to say, quite astonishingly: almost nothing. There is almost no major work—park, bridge, tunnel, beach, parkway, expressway—that must be added to the Moses map to make it contemporary. New York is congratulating itself on its revival, and

a revival it has been: its population has been growing, after fifty years during which it was static or declining; crime is very sharply down; real estate values are rising; financial and cultural industries seem to have in large measure successfully replaced its manufacturing and port activities. Yet the new dynamic city attempts few great projects, nor would it know how to carry them through.

Thus, for the third time in seventy-five years, an effort is being made to build a second East Side subway line; another subway line may be extended west in midtown Manhattan; and the Javits Convention Center may be expanded—but all this is little compared to the Moses era. No truly major public improvement is planned or under way. As Kenneth T. Jackson observes, “in the twenty-first century, when almost anything ‘public’ is regarded as second-rate and when the city cannot afford to repair—let alone construct—grand edifices, [Moses’s] is a remarkable achievement.” (Caro also recognized this, of course. He had seven long interviews with Moses, and wrote that “I must thank him.... If his monologues ... were in a sense lectures on the philosophy and art of Getting Things Done in a democratic society, they were nonetheless the lectures of a genius. Having been an investigative and political reporter for some years, I have naïvely believed I knew something about the innermost fabric of decision-making in New York City and New York State.... All that I knew was as nothing besides what I learned from this Gamaliel.”)

Moses’s work, as Jackson reminds us, was work in and for government. That is particularly striking in today’s environment, when public authorities seem regularly impoverished, and their projects are delayed, impeded, and under-budgeted; when infrastructure crumbles, and we name stadiums and stretches of road after banks and financial companies, and depend increasingly on the private sector to save our cities. Moses’s achievement was one of *public* work. This is one of the themes best sounded in the Ballon-Jackson book. (*Public Works: A Dangerous Trade* was the title of Moses’s one effort to record his achievements in book form.) Moses was proud that he worked for the public, though the public saw him as arrogant and distant and overbearing. He saw himself as a reformer and a public servant. Other reformers also saw him as one of them all through his long career, which began as an assistant to his first patron, the reforming Democratic governor of New York state Alfred E.

Smith in the 1920s, and entered its major phase when the reforming mayor Fiorello LaGuardia appointed him to the positions that permitted him to reshape the city.

Jackson tells us that Moses’s estate when he died in 1981 was worth all of \$50,000. “Certainly there are no material rewards [in public service],” Moses wrote, “comparable to those which can be expected from similar devotion to private work.” He continued: “I made up my mind long ago to get my rewards from the dogwood ... the curving parkway, the spiderwork of suspension bridges, the reclaimed waterfront, the demolition of slums, the crack of a baseball bat and the shouting of children in playgrounds.” All this flies in the face of Caro’s portrait. And in his later years Moses described his work in building middle-class housing developments in the city as replacing “uninhabitable structures built by conscienceless speculators before we had adequate tenement legislation.” That is also the way LaGuardia thought of his own achievement in building housing projects for the poor.

Robert Moses and the Modern City corrects the record on Robert Moses, not uncritically, and with a scholarly attention to covering all his work in New York City that will not be surpassed. The editors are not strangers to New York’s fall and rise. Hilary Ballon, an architectural historian at Columbia, is the chief curator of the three shows, and is the author of a fine book on Pennsylvania Station, the destruction of which in the 1960s was perhaps the age’s greatest act of vandalism. (Moses, then still in power, had nothing to do with that.) Kenneth T. Jackson, a distinguished urban historian, also at Columbia, is the editor of *The Encyclopedia of New York City* (1995), which was one of the markers of New York’s rise from the depths of the 1970s.

The distinctive contribution of Ballon and Jackson’s book is the way it places Moses in the context of the national urban policies of the times. He was a New York phenomenon, but it was not only New York and its liberal politics and policies that made him possible. Finally it is the national urban policies of the time that explain what Moses did and what he did not, or could not, do. Thus one of the major charges against Moses was that he disdained public transportation and did nothing to improve it. The New York City subways did not expand during the time of his greatest power, and suffered a decline in maintenance—but as Jackson points out, Moses had no authority to deal with the major systems of public transportation. No national policies sup-

ported local public transportation, which was seen in those years as a purely local and state obligation. Nor does one note any great improvement after Moses’s removal from power in the 1960s, when the Metropolitan Transportation Agency, responsible for the subways, was merged with Moses’s Triborough Bridge and Tunnel Authority (TBTA). It was hoped that tolls from the TBTA would pay for the upgrading and the expansion of the subways, but there was no major expansion or improvement after this coup and the removal of “the power broker.” The subways were rehabilitated painfully and at great cost in the 1980s and 1990s.

The real issue, again, was that the national urban policies of the time offered no help to public transportation. Moses was dependent on the flow of funds from the federal government and on the tolls from the TBTA, which supported the bond issues necessary for major infrastructural work. There was little enough to be expected from the city and the state, which were strapped by the huge increases in social and health expenses. The significant federal policies, in terms of their impact on the physical structure of the city, consisted of two great initiatives, both launched in the 1950s, and both, as became apparent as early as the 1960s, misguided: support for the building of a great national expressway system, which facilitated the growth of suburbs; and support for the clearance of what were considered deteriorated parts of central cities in a program of “urban renewal,” which was expected to help retain the middle class in the central city and support the cities’ tax base. Moses was responsible for the implementation of both these programs in New York City, as chairman of the Mayor’s Committee on Slum Clearance from 1956 to 1960 and as coordinator for arterial projects from 1960 to 1966.

As new superhighways sliced through various cities, they did great damage to those cities’ physical and social fabrics, often destroying neighborhoods, uprooting great numbers of the black and the poor, and eliminating hundreds of small businesses. Moses went where the money was. In any case, some major roads for truck and commuter traffic were necessary. Even so, as Jackson points out, New York’s expressways were relatively modest in scale, contrasted with the enormous multi-lane superhighways in Chicago, Houston, and elsewhere. This was true even of the execrated Cross-Bronx Expressway, which was limited to three lanes and designed with no room for shoulders. But even so, the damage was great.

As we can see from the early Long Island parkways, Moses thought of the road initially as a means of recreation, engaging the natural environment, with planting along its sides and leading to some park or beach at the end. The pictures of the early parkways are enchanting. But the federal road-building program meant that if one was to get federal funds, the new roads had to be wider, straighter, with fewer entries and exits, built to accommodate cars and trucks going at greater speeds. And if that was what was necessary to get federal funds, that is what Moses would build. Alas, park-like roadways were in time expanded and straightened, as they no longer served pleasure drivers but commuters.

Almost the first words in the book—Ballon's acknowledgments—direct our attention to this dilemma created by federal policy. "‘The Road to Recreation,’" Ballon writes, "appears at the Queens Museum of Art, where Moses remains a palpable presence. He created the Flushing Meadows–Crotona Park, the site of the museum, and was responsible for the highways that now encircle it like a moat." But the first of the roads that became this strangling girdle of the park was a parkway, the Grand Central. After the war, things changed. You can see the impact of the change from parkway to expressway if you try to get to the Queens Museum of Art by public transportation (as recommended by the Museum's website) on the #7 line of the New York subway. You are left today in a desert of parking lots, roadways, and stadiums. Where is the park, you ask, and indeed, where is the museum, and how do you get to it? The original parkways were built with wonderfully designed bridges in WPA style, stone and brick, which could accommodate pedestrians, as well as cars on local roads. But they became something else under the impact of growth, federal money, and federal requirements; and the pedestrian trying to approach the Queens Museum of

Art today finds it no easy matter.

Yet could the city survive without the expressways, limited as they are in comparison with those of motor-oriented cities? Certainly the balance of federal funding should shift more to public transportation, as it has in recent decades. But New York is unique in its dependence on public transportation, and national policies are not often made to respond to unique cases.

THE OTHER great federal program that Moses ran in the 1950s and 1960s was urban renewal, which was known as Title I: it created planned housing communities, but it could also be used, and so Moses used it, to clear a large area to create Lincoln Center and a city campus for Fordham University, and to assist other New York institutions of higher education with housing for staff and faculty. This program has to be distinguished from the public housing program that ran concurrently and had its roots in pre-World War II legislation, but which grew enormously after the war, covering large sections of Manhattan, the Bronx, and Brooklyn with housing projects. Urban renewal was designed to eliminate slums, not to rehouse slum-dwellers. If non-tax-paying housing projects were to replace the slums, it would defeat the purpose of urban renewal.

Moses had no operative role in the public housing program, which reached a vast scale in New York City, but his developments did displace great numbers of slum-dwellers, the people eligible to live in public housing, and he located some Title I projects near public-housing projects in the expectation, or at least the hope, that they would accommodate the displaced. Many of the housing developments built under Title I resembled public housing projects in their arrangement on newly created superblocks imposed on the close grid of Manhattan's streets, and in the materials they commonly used (red brick)—but they housed the middle class, people whose income made them ineligible for public housing. In theory, Title I projects permitted more imaginative design (as in I.M. Pei's design for Kips Bay), and on occasion they were imaginatively designed; but federal rules made imagination difficult, and visu-

ally they were often not distinguishable from public housing.

On the whole, the Title I projects were well developed and managed in New York. In some other cities, great areas were cleared and lay vacant because private developers did not want to build in them. That did not happen in New York. Moses made sure he had developers lined up, private or public, ready to build on newly cleared land, and the scandal of large areas from which the poor had been displaced lying vacant for years did not arise in New York.

But there were problems, and scandals, as the assigned developers in one project, for example, continued to collect rent from those living in the designated slum and did not get on with the task of removal and clearance. And the larger scandal was this: were the areas being cleared really occupied by "slums," beyond rehabilitation? Was not a distinctive New York City fabric, a mix of housing, stores, churches, small factories, and varied other uses, being swept away for the cold monoliths of modernist architecture and planning? Ballon has given a masterful account of the Title I story in the book and in the exhibition that she mounted at Columbia University, and what we see is a clash between an ideal of city planning and replanning that had captured all—or almost all—minds in the 1930s and 1940s, and the gritty and complex reality explored and promoted by Jane Jacobs. When one looks at the pictures of the areas cleared away as "slums," one sees only New York city blocks, with their mix of uses and of older and newer buildings, perfect candidates for rehabilitation and gentrification—particularly in view of where these areas were located—in the 1990s. Why were they labeled slums? And why were they demolished?

But those are not the only questions. Were these doomed places really such candidates for gentrification in the 1960s, when these projects were reaching realization, or in the 1970s? To cast up the balance sheet is not a simple matter. As New York City rents rise, surely one of the anchors of what remains of a middle class in Manhattan—schoolteachers, firefighters, police officers, small business owners, health workers, white-collar workers—are the developments built under Title I and related programs, which are now under pressure as the market and its wild new wealth tries to reclaim them. So perhaps what Robert Moses did was implicated not only in New York's "fall," but in some degree in New York's more recent "rise." It is preposterous to regard him as only a villain. ♦

Pigeon

Victor of filth: flinging lettuce-husk, your province flag, in the L-shaped ingress of the *Frutaria*. This ground you take from aboveworld, your vantage a rotting sill. Dirtybird, with your neck-thrust walk and orangeade eyes, now you sit so blankly still in the window, cracked glass your portrait-frame. Dirtybird, harbinger of citymorning, hallowater of grime, greybird, pluckbird, O bring us your sunup, your percolating tut of day.

GERI DORAN

Shock Troops

I SAW HER nearly every time I went to dinner in the chow hall at my base in Iraq. She wore an unrecognizable tan uniform, so I couldn't really tell whether she was a soldier or a civilian contractor. The thing that stood out about her, though, wasn't her strange uniform but the fact that nearly half her face was severely scarred. Or, rather, it had more or less melted, along with all the hair on that side of her head. She was always alone, and I never saw her talk to anyone. Members of my platoon had seen her before but had never really acknowledged her. Then, on one especially crowded day in the chow hall, she sat down next to us.

WE WERE ALREADY halfway through our meals when she arrived. After a minute or two of eating in silence, one of my friends stabbed his spoon violently into his pile of mashed potatoes and left it there.

"Man, I can't eat like this," he said.

"Like what?" I said. "Chow hall food getting to you?"

"No—with that fucking *freak* behind us!" he exclaimed, loud enough for not only her to hear us, but everyone at the surrounding tables. I looked over at the woman, and she was intently staring into each forkful of food before it entered her half-melted mouth.

"Are you kidding? I think she's fucking hot!" I blurted out.

"What?" said my friend, half-smiling.

"Yeah man," I continued. "I love chicks that have been intimate—with IEDs. It really turns me on—melted skin, missing limbs, plastic noses..."

"You're crazy, man!" my friend said, doubling over with laughter. I took it as my cue to continue.

"In fact, I was thinking of getting some girls together and doing a photo shoot. Maybe for a calendar? 'IED Babes.' We could have them pose in thongs and bikinis on top of the hoods of their blown-up vehicles."

My friend was practically falling out of his chair laughing. The disfigured woman slammed her cup down and ran out of the chow hall, her half-finished tray of food nearly falling to the ground.

AM I A MONSTER? I have never thought of myself as a cruel person. Indeed, I have always had compassion for those with disabilities. I once worked at a summer camp for developmentally disabled children, and, in college, I devoted hours every week to helping a student with cerebral palsy perform basic tasks like typing, eating, and going to the bathroom. Even as I was reveling in the laughter my words had provoked, I was simultaneously horrified and ashamed at what I had just said. In a strange way, though, I found the shame comforting. I was relieved to still be shocked by my own cruelty—to still be able to recognize that the things we soldiers found funny were not, in fact, funny.

NOT EVERYONE was capable of such distinctions. About six months into our deployment, we were assigned a new area to patrol, southwest of Baghdad. We spent a few weeks constructing a combat outpost, and, in the process, we did a lot of digging. At first, we found only household objects like silverware and cups. Then we dug deeper and found children's clothes: sandals, sweatpants, sweaters. Like a strange archeological dig of the recent past, the deeper we went, the more personal the objects we discovered. And, eventually, we reached the bones. All children's bones: tiny cracked tibias and shoulder blades. We found pieces of hands and fingers. We found skull fragments. No one cared to speculate what, exactly, had happened here, but it was clearly a Saddam-era dumping ground of some sort.

ONE PRIVATE, infamous as a joker and troublemaker, found the top part of a human skull, which was almost perfectly preserved. It even had chunks of hair, which were stiff and matted down with dirt. He squealed as he placed it on his head like a crown. It was a perfect fit. As he marched around with the skull on his head, people dropped shovels and sandbags, folding in half with laughter. No one thought to tell him to stop. No one was disgusted. Me included.

THE PRIVATE wore the skull for the rest of the day and night. Even on a mission,

he put his helmet over the skull. He observed that he was grateful his hair had just been cut—since it would make it easier to pick out the pieces of rotting flesh that were digging into his head.

FUNNY? Of course not. But many of my friends were laughing anyway. That is how war works: It degrades every part of you, and your sense of humor is no exception.

I KNOW ANOTHER private who really only enjoyed driving Bradley Fighting Vehicles because it gave him the opportunity to run things over. He took out curbs, concrete barriers, corners of buildings, stands in the market, and his favorite target: dogs. Occasionally, the brave ones would chase the Bradleys, barking at them like they bark at trash trucks in America—providing him with the perfect opportunity to suddenly swerve and catch a leg or a tail in the vehicle's tracks. He kept a tally of his kills in a little green notebook that sat on the dashboard of the driver's hatch. One particular day, he killed three dogs. He slowed the Bradley down to lure the first kill in, and, as the diesel engine grew quieter, the dog walked close enough for him to jerk the machine hard to the right and snag its leg under the tracks. The leg caught, and he dragged the dog for a little while, until it disengaged and lay twitching in the road. A roar of laughter broke out over the radio. Another notch for the book. The second kill was a straight shot: A dog that was lying in the street and bathing in the sun didn't have enough time to get up and run away from the speeding Bradley. Its front half was completely severed from its rear, which was twitching wildly, and its head was still raised and smiling at the sun as if nothing had happened at all.

I DIDN'T SEE the third kill, but I heard about it over the radio. Everyone was laughing, nearly rolling with laughter. I approached the private after the mission and asked him about it.

"So, you killed a few dogs today," I said skeptically.

"Hell yeah, I did. It's like hunting in Iraq!" he said, shaking with laughter.

"Did you run over dogs before the war, back in Indiana?" I asked him.

"No," he replied, and looked at me curiously. Almost as if the question itself was in poor taste.

SCOTT THOMAS

Scott Thomas is the pseudonym for a soldier currently serving in Baghdad.

Cutting-Edge Commentary on Public Policy

POLICY REVIEW



SUBSCRIBE

Receive six bimonthly issues
for only \$36 a year.

FREE ISSUE

Receive a complimentary
issue of the latest Policy
Review without obligation.

Call 877.558.3727 or visit
www.policyreview.org

In the new issue of *Policy Review*

How the West *Really* Lost God

A new look at secularization

What secularization theory assumes is that religious belief comes ontologically first for people and that it goes on to determine or shape other things they do—including such elemental personal decisions as whether they marry and have children. Implied here is a striking, albeit widely assumed, view of how one social phenomenon powers another: that religious believers are more likely to produce families because religious belief somehow comes first. . . . What has not been explained, but rather assumed throughout that chain of argument, is why the causal relationship between belief and practice should always run that way instead of the other, at least some of the time. . . . In brief, it is not only possible but highly plausible that many Western European Christians did not just stop having children and families because they became secular. At least some of the time, the record suggests, they also became secular because they stopped having children and families.

—Mary Eberstadt

Terrorism, the Military, and the Courts

What kind of process is due detainees?

This essay . . . is for those who live in that gulf between the centers of gravity of elite and mass opinion—those not content to give the president a free hand in a messy, unending quasi-war but also suspicious that courts can and should supervise detentions and interrogations and doubtful that such operations are, in any event, easily subjected to absolute moral rules. This is uncomfortable territory, for the slope is indeed as slippery as slopes get—and slippery, I should say, on a hill with two distinct bottoms. At one lies a government capable of torture with impunity, the very essence of tyranny. At the other lies a government incapacitated from expeditiously taking those steps necessary to protect the public from catastrophic attack. . . . In reality, however, this is the intellectual and practical territory in which wars have been won with liberty preserved.

—Benjamin Wittes

To read more, call 877.558.3727 for a free copy of the latest *Policy Review*.

HOOVER INSTITUTION

. . . ideas defining a free society

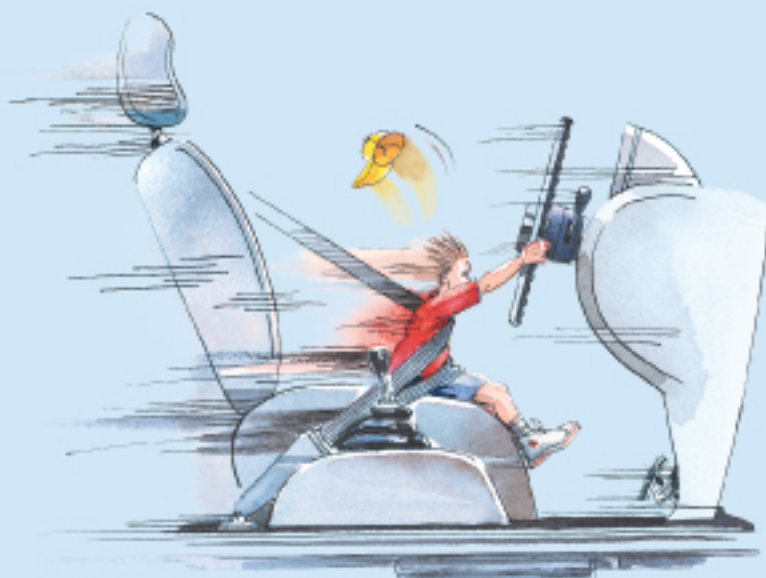
Hoover Institution Stanford University Stanford, CA 94305-5010 Tel: 877.466.8374 Fax: 650.723.1687 info@hoover.stanford.edu www.hoover.org

UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A 16-year-old can't see
an *NC-17* rated movie,
drink alcohol or vote.



BUT DRIVE A 5,000 POUND VEHICLE AT 60 MPH? THAT'S OK.



IN THIS COUNTRY, YOU HAVE TO BE 18 TO VOTE, 21 TO DRINK AND 17 OR OLDER TO SEE A FILM WITH AN NC-17 RATING. But you only have to be 16 to get a driver's license.

No one knows exactly when a teenager crosses the line from being a child to being an adult. And while some 16-year-olds seem wise beyond their years, their decisions behind the wheel aren't always very bright. **Crash rates for 16-year-old drivers are three times greater than 17-year-olds and five times greater than 18-year-olds.**

Allstate and The Allstate Foundation believe that the ability to drive is best learned through experience. **Which is why Graduated Driver Licensing (GDL) laws are a promising solution to teen crashes.**

GDL laws help new drivers get on-the-road experience by using a phased approach with lower-risk conditions. They also restrict nighttime driving and reduce

the number of passengers in cars with teen drivers—two major contributors to teen fatalities. **Since implementing one of the most comprehensive GDL laws in the country, North Carolina has seen a 25% decline in crashes involving 16-year-olds.**

GDL laws are a way to help 16-year-old drivers survive their first year and become 17- and 18-year-old drivers. **Find out what the GDL laws are in your state at Allstate.com/teen.** Help enforce them—and if they aren't strong enough, ask your legislator to strengthen them.

Before our teens can start acting like adults, we need to help them actually become adults.

It's time to make the world a safer place to drive.
THAT'S ALLSTATE'S STAND



Allstate.
You're in good hands.

Auto
Home
Life
Retirement